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THE POLITICIAN's CREED.

BEING

THE GREAT OUTLINE

OF

POLITICAL SCIENCE.

FROM THE WRITINGS OF

Monteſquieu, Hume, Gibbon, Paley, Townſend, &c. &c.

BY

AN INDEPENDENT.

VOL. I.

O FORTUNATOS NIMIUM, SUA SI BONA NORINT.

VIRGIL, GEORG.

LONDON:

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1795.

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BRITISH MUSEUM

VOL. I.

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An Account of Vol. I*. of the POLITICIAN'S CREED, extracted from the *Annual Regiſter* of 1794.

"THE POLITICIAN'S CREED. Being the great Outline of Political Science, from the Writings of MONTESQUIEU, HUME, BLACKSTONE, PALEY, GIBBON, TOWNSEND, &c." is a work of uncommon merit in point of Compoſition. It is highly to be commended for luminouſneſs of Arrangement, and a happy Choice of words and expreſſions adapted to the Author's ſubject. His deſign is, to enquire into the *Advantages* and *Diſadvantages* of the different Forms of Government which have prevailed in the world, and to alledge his reaſons from the *beſt authorities* for giving a *Preference* to the MIXED FORM,—as moſt favourable to the Freedom and permanent Happineſs of the governed. In purſuing his plan, he ſhews himſelf well verſed in the hiſtory of ancient and modern ſyſtems, and to have weighed with a *cool* and *diſcriminating mind*, their reſpective *Excellencies* and *Defects*; and *his Concluſions* appear to be the *fair* and *honeſt Reſult* of a *comprehenſive* and *liberal Enquiry*.

* Vol. II. which completes this work, is an impartial enquiry into the *adminiſtration* of *Governments*, which will be publiſhed next Chriſtmas.

N. B. The profits, arising from the sale of this work, go to the Fund established for the Relief of the *Widows* and *Children* of British Seamen and Soldiers, who may die in battle, fighting for their KING and COUNTRY.

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PART I.

THE DIFFERENT FORMS OF GOVERNMENT;

AND

A DEFENCE OF THE BRITISH CONSTITUTION.

SECT. III*.

POLITICS MAY BE REDUCED TO A SCIENCE.

IT is a *queſtion* with ſeveral, whether there be *any eſſential difference* between *one* form of government and *another?* and, whether *every form* may not become *good* or *bad*, according as it is *well* or *ill adminiſtered?*—Were it once admitted, that *all governments* are *alike*, and that the *only* difference conſiſts in *character* and *conduct of the governors*, moſt political [illegible]putes would be at an end, and all zeal for one conſtitution above another muſt be eſteemed mere bigotry and folly.—But, though a friend to *moderation*, I cannot forbear condemning this ſentiment, and ſhould be ſorry to think, that *human affairs* admit of *no greater ſtability*, than what they receive from the *caſual humours* and *characters of particular men*.

It is *true*, thoſe who maintain, that the *goodneſs* of all government conſiſts in the *goodneſs* of the *adminiſtration*, may cite many particular inſtances in hiſtory, where

* SECT. I. and II. is, *Political Geography, Ancient and Modern, illuſtrated by Maps.* Price 7 Shillings.

the

the very ſame government, in *different hands*, has varied ſuddenly into the two *oppoſite extremes of good and bad.*—Compare the French government under HENRY III. and under HENRY IV.—Oppreſſion, levity, artifice, on the part of the *rulers*; faction, ſedition, treachery, rebellion, diſloyalty, on the part of the *ſubjects*: theſe compoſe the character of the former miſerable æra.—But when the patriotic and heroic prince, who ſucceeded, was once firmly ſeated on the throne, the *government*, the *people*, every thing, ſeemed to be *totally changed*; and all from the *difference* of the *temper* and *ſentiments of theſe two ſovereigns.*—Inſtances of this kind may be multiplied, almoſt without number, from ancient as well as modern hiſtory, foreign as well as domeſtic.

But here it may be proper to make a *diſtinction.*—All *abſolute governments* muſt very much *depend* on the *adminiſtration*; and this is one of the greateſt inconveniences attending that *form* of government.—But a republican and *free government* would be an obvious abſurdity, if the particular *checks* and *controuls*, provided by the conſtitution, had really *no influence*, and made it not the intereſt, even of bad men, to act for the public good.—Such is the *intention* of theſe *forms* of government, and ſuch is their *real effect*, where they are *wiſely conſtituted:*

as, on the other hand, they are the *ſource of all diſorder*, and of the *blackeſt crimes*, where either ſkill or honeſty has been *wanting* in their original *frame* and *inſtitution*.

So *great* is the *force* of *laws*, and of particular *forms* of government, and ſo *little dependence* have they on the *humours* and *tempers* of men, that *conſequences* almoſt as *general* and *certain* may ſometimes be *deduced* from them, as *any* which the mathematical ſciences afford us.

The conſtitution of the ROMAN REPUBLIC gave the whole legiſlative power to the *people*, without allowing a negative voice either to the *nobility* or *conſuls*.—This unbounded power they poſſeſs in a *collective*, not in a *repreſentative* body.—*The conſequences were:* When the people, by ſucceſs and conqueſt, had become *very numerous*, and had ſpread themſelves to a great diſtance from the capital, *the city-tribes*, though the *moſt contemptible*, carried almoſt every vote: they were, therefore, moſt *cajoled* by every one that *affected popularity*: they were ſupported in *idleneſs* by the general *diſtribution of corn*, and by *particular bribes*, which they received from almoſt every candidate: by this means they became every day more *licentious*, and the Campus Martius

tius was a perpetual ſcene of tumult and ſedition: *armed ſlaves* were introduced among theſe *raſcally citizens*; ſo that the whole government fell into *anarchy*, and the *greateſt happineſs*, which the ROMANS could look for, was the *deſpotic power* of the CÆSARS.—SUCH ARE THE EFFECTS OF DEMOCRACY WITHOUT A REPRESENTATIVE.

A *Nobility* may poſſeſs the whole, or any part of the legiſlative power of a ſtate, in *two* different ways.—Either *every nobleman* ſhares the power as *part* of the *whole body*, or the *whole body* enjoys the power *as compoſed of parts*, which have *each* a *diſtinct power and authority*.—The VENETIAN ariſtocracy is an inſtance of the *firſt* kind of government; the POLISH of the *ſecond*.—In the VENETIAN government the *whole body* of nobility poſſeſſes the whole power, and *no nobleman* has any authority which he receives not from the *whole*.—In the POLISH government *every nobleman*, by means of his fiefs, has a *diſtinct* hereditary authority over his vaſſals, and the *whole body* has no authority but what it receives from the concurrence of its parts.—*The different operations and tendencies of theſe two ſpecies of government might be made apparent even a priori*.—A VENETIAN nobility is *preferable* to a POLISH, let the *humours* and *educa-*

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tion of men be ever ſo much *varied*.—A nobility, who poſſeſs their power in *common*, will preſerve peace and order, both among themſelves, and their ſubjects; and no member can have authority enough to controul the laws for a moment.—The nobles will preſerve their authority over the people, but without any grievous tyranny, or any breach of private property; becauſe ſuch a tyrannical government promotes not the intereſt of the whole body, however it may that of ſome individuals.—There will be a diſtinction of rank between the nobility and people, but this will be the only diſtinction in the ſtate.—The whole nobility will form one body, and the whole people another, without any of thoſe private feuds and animoſities, which ſpread ruin and deſolation every where.—It is eaſy to ſee the *diſadvantages* of a POLISH nobility in every one of theſe particulars.

It is poſſible ſo to conſtitute a *free government*, as that *a ſingle perſon*, call him doge, prince, or king, ſhall poſſeſs a *large ſhare of power*, and ſhall form a proper *balance* or *counterpoiſe* to the other parts of the legiſlature.—*This chief magiſtrate* may be either *elective* or *hereditary*; and though the *former* inſtitution may, to a *ſuperficial view*, appear the *moſt advantageous*, yet a *more accurate inſpection* will diſcover in it *greater inconve-*

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niences than in the *latter*, and ſuch as are founded on cauſes and principles eternal and immutable.—THE FILLING OF THE THRONE, IN SUCH A GOVERNMENT, IS A POINT OF TOO GREAT AND TOO GENERAL INTEREST, NOT TO DIVIDE THE WHOLE PEOPLE INTO FACTIONS: WHENCE A CIVIL WAR, THE GREATEST OF ILLS, MAY BE APPREHENDED, ALMOST WITH CERTAINTY, UPON EVERY VACANCY.—The prince elected muſt be either a *foreigner* or a *native: the* former *will be ignorant of the people whom he is to govern; ſuſpicious of his new ſubjects, and ſuſpected by them; giving his confidence entirely to ſtrangers, who will have no other care but of enriching themſelves in the quickeſt manner, while their maſter's favour and authority are able to ſupport them.—A* native *will carry into the throne all his private animoſities and friendſhip, and will never be viewed in his elevation, without exciting the ſentiment of envy in thoſe, who formerly conſidered him as their equal.*—Not to mention, that a *crown is too high a reward ever to be given to merit alone*, and will always induce the candidates to employ *force*, or *money*, or *intrigue*, to procure the votes of the electors: ſo that *ſuch an election* will give no *better chance* for *ſuperior* merit in the prince, than if the ſtate had truſted to *birth alone* for determining their ſovereign.

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It may therefore be pronounced as an *univerſal* axiom in politics, THAT AN HEREDITARY PRINCE, A NOBILITY WITHOUT VASSALS, AND A PEOPLE VOTING BY THEIR REPRESENTATIVES, FORM THE BEST MONARCHY, ARISTOCRACY, AND DEMOCRACY.—But in order to *prove* more fully that *politics admit* of *general truths*, which are invariable by the humour or education either of ſubject or ſovereign, it may not be amiſs to obſerve ſome other *principles* of this ſcience, which may ſeem to deſerve that character.

It may eaſily be obſerved, that, though *free governments* have been commonly the moſt *happy* for thoſe who partake of their freedom; yet are they the moſt *ruinous* and *oppreſſive* to their *provinces:* and this obſervation may, I believe, be fixed as a maxim of the kind we are here ſpeaking of.—When a monarch extends his dominions by conqueſt, he ſoon learns to conſider his old and his new ſubjects as on the ſame footing; becauſe, in reality, all his ſubjects are to him the ſame, except the few friends and favourites, with whom he is perſonally acquainted.—He does not, therefore, make any *diſtinction* between them in his *general* laws; and, at the ſame time, is careful to prevent all *particular* acts of oppreſſion on the *one* as well as on the *other*.—*But a free ſtate neceſſarily*

ceſſarily makes a great diſtinction, and muſt always do ſo, till men learn to love their neighbours as well as themſelves. —The *conquerors*, in ſuch a government, are *all legiſlators*, and will be ſure to contrive matters, by *reſtrictions* of *trade*, and by *taxes*, ſo as to draw ſome *private* as well as *public advantage* from their *conqueſts*.—*Provincial governors have alſo a better chance, in a republic, to eſcape with their plunder, by means of bribery or intrigue; and their fellow citizens, who find their own ſtate to be enriched by the ſpoils of the ſubject provinces, will be the more inclined to tolerate ſuch abuſes.*—Not to mention, that it is a neceſſary precaution in a free ſtate to *change* the *governors frequently*; which obliges theſe *temporary tyrants* to be more *expeditious* and *rapacious*, that they may accumulate ſufficient wealth before they give place to their ſucceſſors. —*What cruel tyrants were the* ROMANS *over the world during the time of their commonwealth!*—It is true they had laws to prevent oppreſſion in their provincial magiſtrates; but CICERO informs us, that the ROMANS could not better conſult the intereſt of the provinces than by *repealing* theſe very laws.—*For, in that caſe, ſays he, our magiſtrates, having entire impunity, would plunder no more than would ſatisfy their own rapaciouſneſs; whereas, at preſent, they muſt alſo ſatisfy that of their*

judges, and of all the great men in Rome, of whoſe protection they ſtand in need.—Who can read of the cruelties and oppreſſions of VERRES without horror and aſtoniſhment?—And who is not touched with indignation to hear, that, after CICERO had exhauſted on that abandoned criminal all the thunders of his eloquence, and had prevailed ſo far as to get him condemned to the utmoſt extent of the laws; yet that cruel tyrant lived peaceably to old age, in *opulence* and *eaſe*, and, thirty years afterwards, was put into the proſcription by MARK ANTHONY, on account of his *exorbitant wealth*, where he fell, with CICERO himſelf, and all the moſt virtuous men of ROME?—After the *diſſolution of the commonwealth*, the Roman *yoke* became *eaſier* upon the provinces, as Tacitus informs us [a]; and it may be obſerved, that many of the *worſt* Emperors, Domitian [b], for inſtance, were careful to *prevent all oppreſſion* on the *provinces*.—The oppreſſion and tyranny of the Carthaginians over their ſubject ſtates in Africa went ſo far, as we learn from Polybius [c], that, not content with exacting the half of all the produce of the ground, which of

[a] Ann. lib. 1, cap. 2. [b] SUET. in vita DOMIT.

[c] Lib. 1, cap. 72.

itſelf

itſelf was a very high rent, they alſo loaded them with many other taxes.—If we paſs from *ancient* to *modern times*, we ſhall ſtill find the obſervation to hold.—The provinces of *abſolute monarchies* are always better treated than thoſe of *free ſtates*.—Compare the *Pais conquis* of France with *Ireland*, and you will be convinced of this truth; though this *latter kingdom*, being, in a good meaſure, peopled from England, poſſeſſes ſo *many rights and privileges* as ſhould naturally make it challenge *better treatment* than that of a *conquered province*.—CORSICA is alſo an obvious inſtance to the ſame purpoſe.

There is an obſervation in MACHIAVEL, with regard to the conqueſts of ALEXANDER the Great, which I think may be regarded as one of thoſe eternal political truths, which no time nor accidents can vary.—It may ſeem ſtrange, ſays that politician, that ſuch ſudden conqueſts, as thoſe of ALEXANDER, ſhould be poſſeſſed ſo peaceably by his ſucceſſors, and that the PERSIANS, during all the confuſions and civil wars among the GREEKS, never made the ſmalleſt efforts towards the recovery of their former independent government.—To ſatisfy us concerning the *cauſe* of this remarkable event, we may conſider, that a monarch may govern his

his ſubjects in *two* different ways.—*He may either follow the maxims of the* EASTERN PRINCES, *and ſtretch his authority ſo far as to leave no diſtinction of rank among his ſubjects, but what proceeds immediately from himſelf; no advantages of birth; no hereditary honours and poſſeſſions; and, in a word, no credit among the people, except from his commiſſion alone.*—Or *a monarch may exert his power after a milder manner, like our* EUROPEAN PRINCES; *and leave other ſources of honour, beſide his ſmile and favour: birth, titles, poſſeſſions, valour, integrity, knowledge, or great and fortunate atchievements.*—In the *former* ſpecies of government, after a conqueſt, it is impoſſible ever to ſhake off the yoke; ſince no one poſſeſſes, among the people, ſo much perſonal credit and authority as to begin ſuch an enterpriſe: whereas, in the *latter*, the leaſt misfortune, or diſcord among the victors, will encourage the vanquiſhed to take arms, who have leaders ready to prompt and conduct them in every undertaking.

Such is the reaſoning of MACHIAVEL, which ſeems ſolid and concluſive; though I wiſh he had not mixed falſehood with truth, in aſſerting, that monarchies, governed according to eaſtern policy, though more eaſily kept when once ſubdued, yet are the moſt *difficult to ſubdue*;

ſubdue; ſince they cannot contain any powerful ſubject, whoſe diſcontent and faction may facilitate the enterprizes of an enemy.—For beſides, that ſuch a *tyrannical government enervates the courage of men*, and renders them *indifferent* towards the *fortunes* of their *ſovereign*; beſides this, I ſay, we find by experience, that even the temporary and delegated authority of the generals and magiſtrates, being always, in ſuch governments, as abſolute within its ſphere as that of the prince himſelf, is able, with barbarians, accuſtomed to a blind ſubmiſſion, to produce the moſt dangerous and fatal revolutions.—So THAT, IN EVERY RESPECT, A GENTLE GOVERNMENT IS PREFERABLE, AND GIVES THE GREATEST SECURITY TO THE SOVEREIGN AS WELL AS TO THE SUBJECT.

Legiſlators, therefore, ought not to *truſt* the *future government* of a ſtate entirely to *chance*, but ought to provide a *ſyſtem of laws* to regulate the adminiſtration of public affairs to the *lateſt poſterity*.—*Effects* will always correſpond *to cauſes*; *and wiſe regulations in any commonwealth are the moſt valuable legacy that can be left to future ages*.—In the ſmalleſt court or office, the *ſtated forms* and *methods*, by which buſineſs muſt be conducted, are found to be a *conſiderable check* on the natural de-

pravity of mankind.—Why ſhould not the caſe be the ſame in *public affairs?*—Can we aſcribe the ſtability and wiſdom of the Venetian government, through ſo many ages, to any thing but the *form* of government?—And is it not eaſy to point out thoſe defects in the *original conſtitution*, which produced the *tumultuous governments* of ATHENS and ROME, and *ended* at laſt in the *ruin* of theſe two famous *republics?*—*And ſo little dependance had this affair on the humours and education of particular men, that one part of the ſame republic may be* wiſely *conducted, and another* weakly, *by the* very ſame men, *merely on account of the difference of the forms and inſtitutions, by which theſe parts are regulated.*—Hiſtorians inform us that this was actually the caſe with GENOA.—For while the ſtate was always full of ſedition, and tumult, and diſorder, the bank of St. GEORGE, which had become a conſiderable part of the people, was conducted, for ſeveral ages, with the utmoſt integrity and wiſdom [a].

The

[a] *Eſſempio veramente raro, & da Filoſofi intante loro imaginate & vedute Republiche mai non trovato, vedere dentro ad un medeſimo cerchio, fra medeſimi cittadini, la liberta, & la tirannide, la vita civile & la corotta, la giuſtitia & la licenza; perche quello ordine ſolo mantiere quella citta piena di coſtumi antichi & venerabili. E s'egli auveniſſe (che col tempo in ogni modo auverrà) que* SAN GIORGIO

The ages of *greateſt public ſpirit* are not always *moſt eminent* for *private virtue*.—Good laws may beget order and moderation in the government, where the manners and cuſtoms have inſtilled little humanity or juſtice into the tempers of men.—The moſt *illuſtrious period* of the *Roman hiſtory*, conſidered in a *political view*, is *that* between the *beginning* of the *firſt* and *end* of the *laſt Punic war*, the *due balance* between the *nobility* and *people* being *then fixed* by the conteſt of the tribunes, and not being yet loſt by the extent of conqueſts.—*Yet at this very time, the horrid practice of* POISONING *was ſo common, that, during part of a ſeaſon, a Prætor puniſhed capitally for this crime above three thouſand*[a] *perſons in a part of Italy; and found informations of this nature ſtill multiplying upon them.*—There is a ſimilar, or rather a *worſe* inſtance[b], in the *more early times* of the commonwealth.—SO DEPRAVED IN PRIVATE LIFE WERE THAT PEOPLE, WHOM IN THEIR HISTORIES WE SO MUCH ADMIRE.—I doubt not but they were *really more virtuous* during the time of the *two Triumvirates*; when they were tearing their common country to pieces,

GIORGIO *tutta quel la città occupaſſe, ſarrebbe quella una Republica piu dalla* VENETIANA *memorabile.* Della Hiſt. Florentinè, lib. 8.

[a] T. LIVII, lib. 40, cap. 43. [b] *Id.* lib. 8. cap. 18.

and ſpreading ſlaughter and deſolation over the face of the earth, merely for the choice of tyrants[a].

Here, then, is a *ſufficient inducement* to maintain, with the utmoſt ZEAL, in every free ſtate, thoſe *forms* and *inſtitutions*, by which *liberty* is *ſecured*, the *public good conſulted*, and the *avarice* or *ambition* of particular men *reſtrained* and *puniſhed*.—Nothing does more *honour* to human nature, than to ſee it *ſuſceptible* of ſo *noble a paſſion*; as nothing can be a greater indication of *meanneſs of heart* in any man, than to ſee him *deſtitute of it*.—A man who loves only himſelf, without regard to friendſhip and deſert, merits the ſevereſt blame; and a man, who is only ſuſceptible of friendſhip, *without public ſpirit*, or a regard to the community, is deficient in the moſt material part of virtue.

But this is a ſubject which needs not be longer inſiſted on *at preſent*.—THERE ARE ENOW OF ZEALOTS ON BOTH SIDES WHO KINDLE UP THE PASSIONS OF THEIR PARTIZANS, AND UNDER PRETENCE OF PUBLIC GOOD, PURSUE THE INTERESTS AND ENDS OF THEIR PARTICULAR FACTION.—For my part, I ſhall

[a] *L'Aigle contre L'Aigle*, ROMAINS *contre* ROMAINS,
Combatans ſeulement pour le choix de tyrans. CORNEILLE.

 always

always be more fond of promoting *moderation* than *zeal*; though perhaps the *ſureſt way* of producing *moderation* in *every party* is to *increaſe* our *zeal* for the *public*.—Let us therefore try, if it be poſſible, from the foregoing doctrine, to draw a leſſon of *moderation* with regard to the *parties*, into which our country is *at preſent* divided; at the ſame time, that we *allow not* this *moderation* to *abate* the *induſtry* and *paſſion*, with which *every individual is bound to purſue the good of his country*.

THOSE WHO EITHER ATTACK OR DEFEND A MINISTER IN SUCH A GOVERNMENT AS OURS, WHERE THE UTMOST LIBERTY IS ALLOWED, ALWAYS CARRY MATTERS TO AN EXTREME, AND EXAGGERATE HIS MERIT OR DEMERIT WITH REGARD TO THE PUBLIC. —HIS ENEMIES ARE SURE TO CHARGE HIM WITH THE GREATEST ENORMITIES, BOTH IN DOMESTIC AND FOREIGN MANAGEMENT; AND THERE IS NO MEANNESS NOR CRIME, OF WHICH, IN THEIR ACCOUNT, HE IS NOT CAPABLE.—UNNECESSARY WARS, SCANDALOUS TREATIES, PROFUSION OF PUBLIC TREASURE, OPPRESSIVE TAXES, EVERY KIND OF MAL-ADMINISTRATION, IS ASCRIBED TO HIM.—TO AGGRAVATE THE CHARGE, HIS PERNICIOUS CONDUCT, IT IS SAID, WILL EXTEND ITS BALEFUL INFLUENCE

EVEN TO POSTERITY, BY UNDERMINING THE BEST CONSTITUTION IN THE WORLD, AND DISORDERING THAT WISE SYSTEM OF LAWS, INSTITUTIONS, AND CUSTOMS, BY WHICH OUR ANCESTORS, DURING SO MANY CENTURIES, HAVE BEEN SO HAPPILY GOVERNED.—HE IS NOT ONLY A WICKED MINISTER IN HIMSELF, BUT HAS REMOVED EVERY SECURITY PROVIDED AGAINST WICKED MINISTERS FOR THE FUTURE.

ON THE OTHER HAND, THE PARTIZANS OF THE MINISTER MAKE HIS PANEGYRIC RUN AS HIGH AS THE ACCUSATION AGAINST HIM, AND CELEBRATE HIS WISE, STEADY, AND MODERATE CONDUCT IN EVERY PART OF HIS ADMINISTRATION.—THE HONOUR AND INTEREST OF THE NATION SUPPORTED ABROAD; PUBLIC CREDIT MAINTAINED AT HOME, PERSECUTION RESTRAINED, FACTION SUBDUED; THE MERIT OF ALL THESE BLESSINGS IS ASCRIBED SOLELY TO THE MINISTER.—AT THE SAME TIME, HE CROWNS ALL HIS OTHER MERITS BY A RELIGIOUS CARE OF THE BEST CONSTITUTION IN THE WORLD, WHICH HE HAS PRESERVED IN ALL ITS PARTS, AND HAS TRANSMITTED ENTIRE, TO BE THE HAPPINESS AND SECURITY OF THE LATSET POSTERITY.

When

When this *accuſation* and *panegyric* are received by the partizans of *each party*, no wonder they beget an extraordinary *ferment* on both ſides, and fill the nation with *violent animoſities*.—But I would fain perſuade theſe *party-zealots*, that there is a *flat contradiction* both in the *accuſation* and *panegyric*, and that it were impoſſible for either of them to run ſo high, were it not for this contradiction.—If our conſtitution be really *that noble fabric, the pride of* BRITAIN, *the envy of our* NEIGHBOURS, *raiſed by the labour of ſo many centuries, repaired at the expence of ſo many millions, and cemented by ſuch a profuſion of blood*; I ſay, if *our conſtitution* does in any degree deſerve theſe *eulogies*, it would never have ſuffered a *wicked* and *weak miniſter* to govern *triumphantly* for a courſe of *twenty* years, when *oppoſed* by the *greateſt geniuſes* in the nation, who exerciſed the *utmoſt liberty* of *tongue* and *pen* in *parliament*, and in their *frequent appeals* to the people.—But, *if the miniſter be wicked and weak*, to the *degree ſo ſtrenuouſly inſiſted on*, the *conſtitution* muſt be *faulty* in its *original principles*, and he cannot *conſiſtently be charged* with *undermining* the *beſt conſtitution in the world*.—A conſtitution is only ſo far good, as it provides a remedy againſt mal-adminiſtration; and if the BRITISH conſtitution, when in its greateſt vigour, and repaired

paired by two ſuch remarkable events, as the REVOLUTION and ACCESSION, by which our ancient royal family was ſacrificed to it; if *our conſtitution*, I ſay, *with ſo great advantages, does not, in fact, provide any ſuch remedy*, we are rather *beholden to any miniſter who undermines it, and affords us an opportunity of erecting in its place a better conſtitution.*

I would employ the ſame topics to *moderate* the *zeal* of *thoſe* who *defend* the miniſter.—Is OUR CONSTITUTION SO EXCELLENT? Then a change of miniſtry can be no *ſuch dreadful event*: ſince it is *eſſential* to *ſuch a conſtitution*, in *every* miniſtry, both to *preſerve* itſelf from *violation*, and to *prevent all enormities* in the adminiſtration.—Is OUR CONSTITUTION VERY BAD? Then ſo extraordinary a jealouſy and apprehenſion, on account of *changes*, is ill-placed.—*Public affairs, in ſuch a conſtitution, muſt neceſſarily go to confuſion*, by *whatever* hands they are *conducted*; and the *zeal* of *patriots* is in *that caſe* much leſs *requiſite* than the *patience* and *ſubmiſſion of philoſophers*. The virtue and good intentions of CATO and BRUTUS are highly laudable; but, *to what purpoſe did their zeal ſerve?*—To *nothing*, but to haſten the fatal period of the ROMAN government, and render its convulſions and dying agonies more violent and painful.

I would

I would not be underſtood to mean, that *public affairs deſerve no care and attention at all.*—Would men be *moderate* and *conſiſtent*, their claims might be admitted; at leaſt might be examined.—*The country-party might ſtill aſſert, that our conſtitution, though excellent, will admit of mal-adminiſtration to a certain degree*; and therefore, *if* the *miniſter* be *bad*, it is *proper* to *oppoſe* him with a *ſuitable* degree of zeal.—And, on the other hand, the *court-party* may be allowed, upon the *ſuppoſition* that the *miniſter* were *good*, to *defend*, and with *ſome zeal too*, his *adminiſtration.*—I would only perſuade men not to *contend*, as if they were *fighting pro aris & focis*, AND CHANGE A GOOD CONSTITUTION INTO A BAD ONE, BY THE VIOLENCE OF THEIR FACTIONS.

I have not here conſidered any thing that is *perſonal* in the preſent controverſy.—*In the beſt civil conſtitution, where every man is reſtrained by the moſt rigid laws, it is eaſy to diſcover either the good or bad intentions of a miniſter, and to judge whether his perſonal character deſerve love or hatred.*—But ſuch queſtions are of *little importance to the public*, and lay thoſe, who employ their pens upon them, under a juſt ſuſpicion either of malevolence or of flattery [a].

[a] Hume.

SECT.

SECT. IV.

OF DIFFERENT FORMS OF GOVERNMENT.

As a *ſeries of appeals* muſt be *finite*, there neceſſarily exiſts in *every* government a *power from which the conſtitution has provided no appeal*; and *which power*, for *that reaſon*, may be termed *abſolute, omnipotent, uncontrollable, arbitrary, deſpotic*; *and is alike ſo in all countries.*

The perſon, or aſſembly, in whom *this power* reſides, is called the *ſovereign*, or the ſupreme power of ſtate.

Since to the ſame power univerſally appertains the office of eſtabliſhing public laws, it is called alſo the *legiſlature* of the ſtate.

A government receives its denomination from the *form of the legiſlature*; which *form* is likewiſe what we *commonly mean* by the *conſtitution* of a country.

Political writers enumerate *three principal forms* of government, which, however, are to be regarded rather

ther as the ſimple forms, by ſome combination and intermixture of which all actual governments are compoſed, than as any where exiſting in a pure and elementary ſtate.—Theſe forms are,

I. Deſpotiſm, or ABSOLUTE MONARCHY, where the *legiſlature* is in a *ſingle perſon*.

II. An ARISTOCRACY, where the *legiſlature* is in a *ſelect aſſembly*, the members of which either fill up by election the vacancies in their own body, or ſucceed to their places in it by inheritance, property, tenure of certain lands, or in reſpect of ſome perſonal right or qualification.

III. A REPUBLIC, or democracy, where the *people at large*, either *collectively* or by *repreſentation*, conſtitute the *legiſlature*.

The *ſeparate advantages* of MONARCHY are unity of council, activity, deciſion, ſecrecy, diſpatch; the military ſtrength and energy which reſult from theſe qualities of government; the excluſion of popular and ariſtocratical contentions; the preventing, by a known rule of ſucceſſion, of all competition for the ſupreme power; and thereby repreſſing the hopes, intrigues, and dangerous ambition of aſpiring citizens.

The *miſchiefs*, or rather the dangers, of MONARCHY,

are tyranny, expence, exaction, military domination; unneceſſary wars waged to gratify the paſſions of an individual; riſk of the character of the reigning prince; ignorance in the governors of the intereſts and accommodation of the people, and a conſequent deficiency of ſalutary regulations; want of conſtancy and uniformity in the rules of government, and, proceeding from thence, inſecurity of perſon and property.

The *ſeparate advantage* of an ARISTOCRACY conſiſts in the wiſdom which may be expected from experience and education—a permanent council naturally poſſeſſes experience; and the members, who ſucceed to their places in it by inheritance, will, probably, be trained and educated with a view to the ſtations which they are deſtined by their birth to occupy.

The *miſchiefs* of an ARISTOCRACY are, diſſenſions in the ruling orders of the ſtate, which, from the want of a common ſuperior, are liable to proceed to the moſt deſperate extremities; oppreſſion of the lower orders by the privileges of the higher, and by laws partial to the ſeparate intereſts of the law makers.

The *advantages* of a REPUBLIC are, liberty, or exemption from needleſs reſtrictions; equal laws; regulations adapted to the wants and circumſtances of the people;

public

public ſpirit, frugality, averſeneſs to war; the opportunities which democratic aſſemblies afford to men of every deſcription, of producing their abilities and councils to public obſervation, and the exciting thereby, and calling forth to the ſervice of the commonwealth, the faculties of its beſt citizens.

The *evils* of a REPUBLIC are, *diſſenſions, tumults, faction; the attempts of powerful citizens to poſſeſs themſelves of the empire; the confuſion, rage, and clamour which are the inevitable conſequences of aſſembling multitudes, and of propounding queſtions of ſtate to the diſcuſſion of the people; the delay and diſcloſure of public councils and deſigns; and the imbecility of meaſures retarded by the neceſſity of obtaining the conſent of numbers: laſtly, the oppreſſion of the provinces which are not admitted to a participation in the legiſlative power.*

A MIXED GOVERNMENT is compoſed by the combination of two or more of the ſimple forms of government above deſcribed—and, in whatever proportion each form enters into the conſtitution of a government, in the ſame proportion may both the *advantages* and *evils*, which we have attributed to that form, be expected; that is, thoſe are the uſes to be maintained and cultivated in each part of the conſtitution, and theſe are the dangers to be pro-

vided againſt in each.—Thus, if *ſecrecy* and *diſpatch* be truly enumerated amongſt the ſeparate excellencies of regal government; then a mixed government, which retains monarchy in one part of its conſtitution, ſhould be careful that the other eſtates of the empire do not, by an officious and inquiſitive interference with the executive functions, which are, or ought to be, reſerved to the adminiſtration of the prince, interpoſe delays, or divulge what it is expedient to conceal.—On the other hand, if *profuſion*, *exaction*, *military domination*, and *needleſs wars*, be juſtly accounted natural properties of monarchy, in its ſimple unqualified form; then are theſe the objects to which, in a mixed government, the ariſtocratic and popular parts of the conſtitution ought to direct their vigilance; the dangers againſt which they ſhould raiſe and fortify their barriers: theſe are departments of ſovereignty, over which a power of inſpection and control ought to be depoſited with the people.

The ſame obſervation may be repeated of all the other advantages and inconveniencies which have been aſcribed to the ſeveral ſimple forms of government; and affords a rule whereby to direct the conſtruction, improvement, and adminiſtration of mixed governments, ſubjected however to this remark, that a quality ſometimes reſults

reſults from the conjunction of two ſimple forms of government, which belongs not to the ſeparate exiſtence of either: thus corruption, which has no place in an abſolute monarchy, and little in a pure republic, is ſure to gain admiſſion into a conſtitution, which divides the ſupreme power between an executive magiſtrate and a popular council.

An *hereditary* MONARCHY is univerſally to be preferred to an *elective* monarchy.—The confeſſion of every writer upon the ſubject of civil government, the experience of ages, the example of Poland, and of the papal dominions, ſeem to place this amongſt the few indubitable maxims which the ſcience of politics admits of.—*A crown is too ſplendid a prize to be conferred upon merit.*—The paſſions or intereſts of the electors exclude all conſideration of the *qualities* of the competitors.—The ſame obſervation holds concerning the appointment to any office which is attended with a great ſhare of power or emolument.—*Nothing is gained by a popular choice worth the diſſenſions, tumults, and interruption of regular induſtry, with which it is inſeparably attended.*—Add to this, that *a king*, who *owes his elevation* to the event of a *conteſt*, or to any other cauſe than a fixed rule of ſucceſſion, *will be apt to regard one part of his ſubjects as the aſſociates*

of

of his fortune, and the other as conquered foes.—Nor ſhould it be forgotten, amongſt the *advantages* of an *hereditary* monarchy, that as plans of national improvement and reform are ſeldom brought to maturity by the exertions of a ſingle reign, a nation cannot attain to the degree of happineſs and proſperity to which it is capable of being carried, unleſs an uniformity of councils, a conſiſtency of public meaſures and deſigns, be continued through a ſucceſſion of ages.—This benefit may be expected with greater probability, where the ſupreme power deſcends in the ſame race, and where each prince ſucceeds, in ſome ſort, to the aim, purſuits, and diſpoſition of his anceſtor, than if the crown, at every change, devolve upon a ſtranger; whoſe firſt care will commonly be to pull down what his predeceſſor had built up; and to ſubſtitute ſyſtems of adminiſtration, which muſt, in their turn, give way to the more favourite novelties of the next ſucceſſor.

ARISTOCRACIES are of *two* kinds, *firſt*, where the power of the nobility belongs to them in their collective capacity alone; that is, where although the government reſide in an aſſembly of the order, yet the members of that aſſembly ſeparately and individually poſſeſs no authority or privilege beyond the reſt of the community:

nity:—this deſcribes the conſtitution of VENICE.—*Secondly*, where the nobles are ſeverally inveſted with great perſonal power and immunities, and where the power of the ſenate is little more than the aggregated power of the individuals who compoſe it:—this is the conſtitution of POLAND.—Of theſe *two forms* of government, the *firſt* is *more tolerable* than the *laſt*; for although the members of a ſenate ſhould many, or even all of them, be profligate enough to abuſe the authority of their ſtations in the proſecution of private deſigns, yet, not being all under a temptation to the ſame injuſtice, not having all the ſame end to gain, it would ſtill be difficult to obtain the conſent of a majority, to any ſpecific act of oppreſſion, which the iniquity of an individual might prompt him to propoſe: or if the will were the ſame, the power is more confined; one tyrant, whether the tyranny reſide in a ſingle perſon, or a ſenate, cannot exerciſe oppreſſion at ſo many places at the ſame time, as it may be carried on by the dominion of a numerous nobility over their reſpective vaſſals and dependents.—Of all ſpecies of domination this is the moſt odious: the freedom and ſatisfaction of private life are more conſtrained and haraſſed by it, than by the moſt vexatious laws, or even by the lawleſs will of an arbitrary

 monarch;

monarch; from whoſe knowledge, and from whoſe injuſtice, the greateſt part of his ſubjects are removed by their diſtance, or concealed by their obſcurity.

Europe exhibits more than one modern example where the people, aggrieved by the exactions, or provoked by the enormities, of their immediate ſuperiors, have joined with the reigning prince in the overthrow of the ariſtocracy, deliberately exchanging their condition for the miſeries of deſpotiſm.—About the middle of the laſt century, the commons of DENMARK, weary of the oppreſſions which they had long ſuffered from the nobles, and exaſperated by ſome recent inſults, preſented themſelves at the foot of the throne, with a formal offer of their conſent to eſtabliſhed unlimited dominion in the king.—The revolution in SWEDEN, ſtill more lately brought about with the acquieſcence, not to ſay the aſſiſtance, of the people, owed its ſucceſs to the ſame cauſe, namely, to the proſpect of deliverance, that it afforded, from the tyranny which their nobles exerciſed under the old conſtitution.—In ENGLAND the people beheld the depreſſion of the barons, under the houſe of Tudor, with ſatisfaction, although they ſaw the crown acquiring thereby a power, which no limitations, that the conſtitution had then provided, were likely to confine.—The leſſon

to

to be drawn from ſuch events is this, that a mixed government, which admits a patrician order into its conſtitution, ought to circumſcribe the perſonal privileges of the nobility, eſpecially claims of hereditary juriſdiction and local authority, with a jealouſy equal to the ſolicitude with which it provides for its own preſervation.—For nothing ſo alienates the minds of the people from the government under which they live, as a perpetual ſenſe of annoyance and inconveniency; or ſo prepares them for the practices of an enterpriſing prince, or a factious demagogue, as the abuſe which almoſt always accompanies the exiſtence of ſeparate immunities.

Amongſt the *inferior*, but by *no means inconſiderable*, *advantages* of a DEMOCRATIC CONSTITUTION, or of a conſtitution in which the people partake of the power of legiſlation, the following ſhould not be neglected.

I. *The direction which it gives to the education, ſtudies, and purſuits of the ſuperior orders of the community.*—The ſhare which this has in forming the *public manners* and *national character* is very important.—In countries, in which the gentry are excluded from all concern in the government, ſcarce any thing is left which leads to advancement, but the profeſſion of arms.—They who do not addict themſelves to this profeſſion

(and miſerable muſt that country be, which conſtantly employs the military ſervice of a great proportion of any order of its ſubjects) are commonly loſt by the mere want of object and deſtination; that is, they either fall, without reſerve, into the moſt ſottiſh habits of animal gratification, or entirely devote themſelves to the attainment of thoſe futile arts and decorations, which compoſe the buſineſs and recommendation of a court: *on the other hand*, where the whole, or any effective portion of civil power is poſſeſſed by a popular aſſembly, more ſerious purſuits will be encouraged, purer morals, and a more intellectual character, will engage the public eſteem; thoſe faculties, which qualify men for deliberation and debate, and which are the fruit of ſober habits, of early and long continued application, will be rouſed and animated by the reward, which, of all others, moſt readily awakens the ambition of the human mind, political dignity and importance.

II. *Popular elections procure to the common people courteſy from their ſuperiors.*—That contemptuous and overbearing inſolence, with which the lower orders of the community are wont to be treated by the higher, is greatly mitigated where the *people* have *ſomething* to *give*. —The aſſiduity, with which their favour is ſought upon

theſe occaſions, ſerves to generate ſettled habits of condeſcenſion and reſpect; and as human life is more embittered by *affronts* than injuries, whatever contributes to procure mildneſs and civility of manners towards thoſe who are moſt liable to ſuffer from a contrary behaviour, corrects, with the pride, in a great meaſure the evil of inequality, and deſerves to be accounted amongſt the moſt generous inſtitutions of ſocial life.

III. *The ſatisfaction which the people in free governments derive from the knowledge and agitation of political ſubjects*; ſuch as the proceedings and debates of the ſenate; the conduct and character of miniſters; the revolutions, intrigues, and contentions of parties; and, in general, from the diſcuſſion of public meaſures, queſtions, and occurrences.—Subjects of this ſort excite juſt enough of intereſt and emotion, to afford a moderate engagement to the thoughts, without riſing to any painful degree of anxiety, or ever leaving a fixed oppreſſion upon the ſpirits: and what is this, but the end and aim of all thoſe amuſements, which compoſe ſo much of the buſineſs of life and the value of riches?—*For my part, and I believe it to be the caſe with moſt men, who are arrived at the middle age, and occupy the middle claſſes of life; had I all the money, which I pay in taxes to government, at li-*

berty to lay out upon amuſement and diverſion, I know not whether I could make choice of any, in which I ſhould find greater pleaſure, than what I receive from expecting, hearing, and relating public news; reading parliamentary debates, and proceedings; canvaſſing the political arguments, projects, predictions, and intelligence, which are conveyed, by various channels, to every corner of the kingdom.—Theſe topics, exciting univerſal curioſity, and being ſuch as almoſt every man is ready to form, and prepared to deliver their opinion about, *greatly promote*, and, I think, *improve converſation*.—They render it more *rational* and more *innocent*.—They ſupply a *ſubſtitute* for *drinking*, *gaming*, *ſcandal*, and *obſcenity*.—Now the ſecrecy, the jealouſy, the ſolitude, and precipitation of deſpotic governments, exclude all this.—But the loſs, you ſay, is trifling.—I know that it is poſſible to render even the mention of it ridiculous, by repreſenting it *as the idle employment of the moſt inſignificant part of the nation, the folly of village-ſtateſmen, and coffee-houſe politicians; but I allow nothing to be a trifle, which miniſters to the harmleſs gratification of multitudes; nor any order of men to be inſignificant, whoſe number bears a reſpectable proportion to the ſum of the whole community*[a].

[a] Paley.

THE

THE PRINCIPLE OF THE DIFFERENT FORMS OF GOVERNMENT.

SECT. V.

PUBLIC VIRTUE THE SUPPORT OF A DEMOCRACY.

There is no great ſhare of probity neceſſary to ſupport a MONARCHICAL *or* DESPOTIC GOVERNMENT.—The force of laws in the *one*, and the prince's arm in the *other*, are *ſufficient* to *direct* and *maintain* the *whole*.—But in a POPULAR STATE, *one ſpring more is neceſſary*, namely, VIRTUE.

What I have here advanced is confirmed by the unanimous teſtimony of hiſtorians, and is extremely agreeable to the *nature of things*.—For it is clear, that in a MONARCHY, where *he* who *commands the execution of the laws*, generally thinks himſelf *above them*, there is *leſs need of virtue* than in a POPULAR GOVERNMENT, where the *perſon entruſted* with the *execution* of the *laws*, is ſenſible of his being *ſubject to their direction*.

Clear

Clear it is, alſo, that a MONARCH, who through *bad advice* or *indolence* ceaſes to *enforce the execution of the laws*, may eaſily *repair the evil*; he has only to follow *other advice*; or to ſhake off this *indolence*.—But when, in a POPULAR GOVERNMENT, there is a *ſuſpenſion* of the *laws*, as this can proceed *only from the corruption of the republic*, the *ſtate* is certainly *undone*.

A very curious ſight it was in the laſt century to behold the *impotent efforts* of the *Engliſh* towards the eſtabliſhment of *democracy*.—As *they* who had a ſhare in the direction of public affairs were *devoid of virtue*; *as* their ambition was inflamed by the ſucceſs of the moſt daring of their members[a]; *as* the prevailing parties were ſucceſſively animated by the ſpirit of faction, *the government was continually changing*; *the people, amazed at ſo many revolutions, in vain attempted to erect a commonwealth*.—AT LENGTH, WHEN THE COUNTRY HAD UNDERGONE THE MOST VIOLENT SHOCKS, THEY WERE OBLIGED TO HAVE RECOURSE TO THE VERY GOVERNMENT WHICH THEY HAD SO WANTONLY PROSCRIBED.

When *Sylla* thought of reſtoring *Rome* to her *liberty*, this *unhappy city* was *incapable* of *that bleſſing*.—She had

[a] Cromwell.

only

only the *feeble remains of virtue*, which were continually *diminiſhing:* inſtead of being *rouſed out of her lethargy* by Cæſar, Tiberius, Caius, Claudius, Nero, Domitian, ſhe riveted every day her chains; *if ſhe ſtruck ſome blows*, her *aim* was at the *tyrant*, but *not at the uſurpation.*

WHEN VIRTUE IS BANISHED, AMBITION INVADES THE MINDS OF THOSE WHO ARE DISPOSED TO RECEIVE IT, AND AVARICE POSSESSES THE WHOLE COMMUNITY. —THE OBJECTS OF THEIR DESIRES ARE CHANGED; WHAT THEY WERE FOND OF BEFORE, IS BECOME INDIFFERENT; THEY WERE FREE, WHILE UNDER THE RESTRAINT OF LAWS, BUT THEY WOULD FAIN NOW BE FREE TO ACT AGAINST LAW; AND AS EACH CITIZEN IS LIKE A SLAVE WHO HAS RUN AWAY FROM HIS MASTER, WHAT WAS A MAXIM OF EQUITY, HE CALLS RIGOUR; WHAT WAS A RULE OF ACTION, HE STILES CONSTRAINT; AND TO PRECAUTION HE GIVES THE NAME OF FEAR.—FRUGALITY, AND NOT THE THIRST OF GAIN, NOW PASSES FOR AVARICE.—FORMERLY THE WEALTH OF INDIVIDUALS CONSTITUTED THE PUBLIC TREASURE; BUT NOW THIS IS BECOME THE PATRIMONY OF PRIVATE PERSONS.—THE MEMBERS OF THE COMMONWEALTH RIOT ON THE PUBLIC

SPOILS,

SPOILS, AND ITS STRENGTH IS ONLY THE POWER OF A FEW, AND THE LICENTIOUSNESS OF MANY.

ATHENS was poſſeſſed of the *ſame number of forces*, when ſhe *triumphed* ſo *glorioufly*, and *when* with ſo much *infamy* ſhe was *enſlaved*.—She had *twenty thouſand citizens*[a], when *ſhe defended the Greeks* againſt the PERSIANS, when *ſhe contended for empire* with SPARTA, and invaded SICILY.—She had *twenty thouſand* when DEMETRIUS PHALEREUS *numbered them*[b], as ſlaves are told by the head in a market place.—*When* PHILIP *attempted to lord it over Greece*, and *appeared* at the *gates of Athens*[c], *ſhe had even then loſt nothing but time*.—We may ſee in *Demoſthenes* how difficult it was to *awaken her*: ſhe *dreaded Philip*, not as the *enemy* of her *liberty*, but of her *pleaſures*[d].—This FAMOUS CITY, which had withſtood ſo many defeats, and after having been ſo often deſtroyed, had as often riſen out of her aſhes, was *overthrown* at CHÆRONEA, and at *one blow* deprived of *all hopes of reſource*.—What does it avail her, that Philip ſends back *her priſoners*, if he does not return her *men?*—It was *ever*

a Plutarch, Life of Pericles, Plato in Critia.

b She had at that time twenty-one thouſand citizens, ten thouſand ſtrangers, and four hundred thouſand ſlaves. See Athenæus, Book 6.

c She had then twenty thouſand citizens. See Demoſthenes in Ariſtog.

d They had paſſed a law, which rendered it a capital crime for any one to propoſe applying the money deſigned for the theatres to military ſervice.

after

after as *eaſy* to triumph over the *Athenian forces*, as it had been *difficult* to ſubdue her *virtue*.

How was it poſſible for Carthage to maintain her ground? When HANNIBAL, upon his being made *Prætor*, endeavoured to hinder the *magiſtrates* from plundering the republic, did not *they complain of him to the* ROMANS?—*Wretches*, who would fain be *citizens without a city*, and *beholden for their riches* to their *very deſtroyers!*—ROME *ſoon* inſiſted upon having three hundred of their principal citizens as hoſtages; ſhe obliged them *next* to ſurrender their arms and ſhips, and *then* ſhe declared war[a].—*From the deſperate efforts of this defenceleſs city, one may judge of what ſhe might have performed in her full vigour, and aſſiſted by virtue*[b].

[a] This laſted three years. [b] Monteſquieu.

SECT. VI.

PUBLIC VIRTUE IS IN A LESS DEGREE ESSENTIAL TO AN ARISTOCRACY.

As *virtue* is *neceſſary* in a POPULAR GOVERNMENT, it is requiſite alſo under an ARISTOCRACY.—True it is, that in the *latter* is not ſo *abſolutely requiſite.*

The people, who in reſpect to the *nobility* are the ſame as the ſubjects with regard to a monarch, *are reſtrained by their laws.*—They have, therefore, leſs occaſion for *virtue* than the *people* in a democracy.—*But how are the nobility to be reſtrained?*—They who are to execute the laws againſt their colleagues, will immediately perceive they are acting againſt *themſelves.*—VIRTUE is therefore neceſſary in this body, from the very nature of the conſtitution.

An ARISTOCRATICAL GOVERNMENT has an inherent vigour, unknown to democracy.—The *nobles* form a body, who by their prerogative, and for their own particular intereſt, *reſtrain the people*; it is ſufficient, that there are laws in being to have them executed.

But

But eaſy as it may be for the body of the nobles to reſtrain the people, reſtraints will with difficulty reach the legiſlative body.—*Such is the nature of the conſtitution, that it ſeems to ſubject the very ſame perſons to the power of the laws, and at the ſame time to exempt them.*—*Public crimes*[a] may indeed be *puniſhed*, becauſe it is *here* a *common concern*; but *private crimes* will go *unpuniſhed*, becauſe it is the *common intereſt not to puniſh them.*

Now ſuch a body as this will reſtrain itſelf only two ways; either by a very *eminent virtue*, which puts the nobility in ſome meaſure on a level with the people, or by *an inferior virtue*, which puts them at leaſt upon a level with one another, *and on this their preſervation depends.*

Moderation is therefore the very ſoul of this government; a moderation I mean founded on *virtue*, not that which proceeds from indolence and puſillanimity[b].

[a] Though all crimes be in their own nature *public*, yet there is a *diſtinction* between *crimes really public*, and *thoſe* that are *private*, which are *ſo called, becauſe they are more injurious to individuals than to the community.*

[b] Monteſquieu.

SECT. VII.

HONOUR THE STAY OF MONARCHY.

A MONARCHICAL GOVERNMENT ſuppoſeth, as we have already obſerved, pre-eminences and ranks, as likewiſe a noble deſcent.—Now ſince it is *the nature of honour* to aſpire to preferments and titles, it is properly placed in this government.

Ambition is pernicious in a republic.—But in a monarchy it has ſome good effects; it gives life to the government, and is attended with this advantage, that it is no way dangerous, becauſe it will be continually checked.

It is with this kind of government as with the ſyſtem of the univerſe, in which there is a power that conſtantly repels all bodies from the center, and a power of gravitation that attracts them to it.—HONOUR *ſets all the parts of the body politic in motion, and by its very action connects them; thus each individual advances the public good, while he only thinks of promoting his own intereſt.*

True

True it is, that, *philoſophically ſpeaking*, it is a *falſe honour* which moves all the parts of this government; but even this *falſe honour* is *as uſeful to the public* as *true honour* could poſſibly be to *private people*.

Is it not a very *great point* to oblige men to perform the *moſt difficult actions*, ſuch as require an extraordinary exertion of fortitude and reſolution, *without any other recompence*, than *that* of GLORY and APPLAUSE?

VIRTUE IS NOT ESSENTIAL TO A MONARCHICAL GOVERNMENT.

IN MONARCHIES *policy effects great things with as little virtue as poſſible*.—Thus in the niceſt machines *art* has reduced the number of movements, ſprings, and wheels.

The ſtate ſubſiſts independent of the love of our country, of the thirſt of true glory, of ſelf-denial, of the ſacrifice of our deareſt intereſts, and of all thoſe heroic virtues which we admire in the ancients, and to us are known only by ſtory.

The *laws* ſupply here the *place* of thoſe *virtues*; they

are

are by no means wanted, and the ſtate diſpenſes with them.

I beg that no one will be offended with what I am going to ſay; my obſervations are founded on the unanimous teſtimony of hiſtorians.—I am not ignorant *that a virtuous prince is no ſuch very rare inſtance*; but I venture to affirm, *that in a monarchy it is extremely difficult for the people to be virtuous*[a].

LET US COMPARE WHAT THE HISTORIANS OF ALL AGES HAVE ASSERTED CONCERNING THE COURTS OF MONARCHS; LET US RECOLLECT THE CONVERSATIONS AND SENTIMENTS OF PEOPLE OF ALL COUNTRIES IN RESPECT TO THE WRETCHED CHARACTER OF COURTIERS; AND WE SHALL FIND THAT THESE ARE NOT AIRY SPECULATIONS, BUT TRUTHS CONFIRMED BY A SAD AND MELANCHOLY EXPERIENCE.

AMBITION IN IDLENESS; MEANNESS MIXED WITH PRIDE; A DESIRE OF RICHES WITHOUT INDUSTRY; AVERSION TO TRUTH; FLATTERY, PERFIDY, VIOLATION OF ENGAGEMENTS, CONTEMPT OF ALL CIVIL DUTIES, FEAR OF THE PRINCE'S VIRTUE, HOPE FROM HIS WEAKNESS, BUT, ABOVE ALL, A PERPETUAL

[a] I ſpeak here of political virtue, which is alſo moral virtue as it is directed to the public good.

RIDICULE

RIDICULE CAST UPON VIRTUE, ARE, I THINK, THE CHARACTERISTICS BY WHICH MOST COURTIERS IN ALL AGES AND COUNTRIES HAVE BEEN CONSTANTLY DISTINGUISHED.—NOW IT IS EXCEEDING DIFFICULT FOR THE LEADING MEN OF THE NATION TO BE KNAVES, AND THE INFERIOR SORT TO BE HONEST; FOR THE FORMER TO BE CHEATS, AND THE LATTER TO REST SATISFIED WITH BEING ONLY DUPES.

But if there ſhould chance to be ſome unlucky *honeſt man*[a] *among the people*, CARDINAL RICHELIEU, in his political teſtament, ſeems to hint, that a prince ſhould take care not to employ him[b].—So true is it, that *virtue* is not the *ſpring* of *this government!*—It is not indeed *excluded*, but it is not *the ſpring* of government.

But it is high time for me to have done with this ſubject, leſt I ſhould be ſuſpected of writing a ſatire againſt *monarchical government*.—Far be it from me; if *monarchy* wants *one ſpring*, it is provided with *another*.—HONOUR, that is, the prejudice of every perſon and rank, ſupplieth the place of the *political virtue*, of which I have been ſpeaking, and is every where her *repre-*

[a] This is to be underſtood in the ſenſe of the preceding note.

[b] We muſt not, ſays he, employ ſuch men; they are too rigid and moroſe.

ſentative:

ſentative: here it is capable of inſpiring the moſt glorious actions, and, joined with the force of laws, may lead us to the end of government as well as virtue itſelf.

Hence, in well regulated monarchies, we find often good ſubjects, and very few good men; for to be a good man[a], a good intention is neceſſary, and we ſhould love our country not ſo much on our own account, as out of regard to the community[b].

[a] This word good man is underſtood here in a political ſenſe only.

[b] Monteſquieu.

SECT. VIII.

FEAR IS THE PRINCIPLE OF A DESPOTIC STATE.

As *virtue* is neceſſary in a REPUBLIC, and in a MONARCHY *honour*, ſo *fear* is neceſſary in a DESPOTIC GOVERNMENT.—With regard to *virtue*, there is *no occaſion for it*, and *honour* would be *extremely dangerous*.

Here the immenſe power of the prince is devolved entirely upon thoſe whom he is pleaſed to intruſt with the adminiſtration.—*Perſons capable of ſetting a value upon themſelves, would be likely to create diſturbances.*—*Fear* muſt therefore *depreſs their ſpirits*, and *extinguiſh* even the *leaſt ſenſe of ambition*.

A MODERATE GOVERNMENT may, whenever it pleaſes, and without the leaſt danger, *relax its ſprings*.—It ſupports itſelf by the *laws*, and by its *own internal ſtrength*.—But *when a deſpotic prince ceaſes one ſingle moment to lift up his arm*, when *he cannot inſtantly demoliſh thoſe whom he has entruſted with the firſt employments* [a],

[a] As it often happens in a military ariſtocracy.

all is over: for as *fear*, the ſpring of this government, no longer ſubſiſts, the people are left without a reſtraint.

IT IS NECESSARY THAT THE PEOPLE SHOULD BE JUDGED BY LAWS, AND THE GREAT MEN BY THE CAPRICE OF THE PRINCE; THAT THE LIVES OF THE LOWEST SUBJECT SHOULD BE SAFE, AND THE BASHAW'S HEAD EVER IN DANGER.—*We cannot mention theſe monſtrous governments without horror.*—The Sophi of Perſia, dethroned in our days by Mahomet, the ſon of Miriveis, ſaw the conſtitution ſubverted before this revolution, becauſe he had been too ſparing of blood[a].

Hiſtory informs us, that the horrid cruelties of Domitian ſtruck ſuch a terror into the governors, that the people were ſafe under his reign.—Thus a torrent overflows one ſide of a country, and on the other leaves fields untouched, where the eye is refreſhed by the proſpect of fine meadows.

a See the hiſtory of this revolution by Father Ducerceau.

HONOUR IS NOT THE PRINCIPLE OF A DESPOTIC GOVERNMENT.

Honour is far from being the principle of a deſpotic government: mankind being here all upon a level, no one perſon can prefer himſelf to another; and as they are all ſlaves, there can be no ſort of preference.

Beſides, as honour has its laws and rules; as it knows not how to ſubmit; as it depends in a great meaſure on a man's own caprice, and not on that of another perſon; it can be found only in countries in which the conſtitution is fixed, and where they are governed by ſettled laws.

How can *deſpotiſm* bear with *honour?—This glories* in the *contempt of life*; and *that* is founded in the *power* of *taking it away*.—How can *honour*, on the other hand, *bear with deſpotiſm?*—The *former* has its *fixed rules*, and *peculiar caprices*; but the *latter* is directed by *no rule*, and its own *caprices are ſubverſive of all others.*

Hence, *Honour*, though it is the prevailing principle in monarchies, and gives life to the whole body politic, to the laws, and even to the virtues themſelves, muſt be a thing unknown in arbitrary governments, ſome of which have not even a proper word to expreſs it[a].

[a] See Perry, p. 47.

THE CORRUPTION OF THE PRINCIPLES OF THE THREE GOVERNMENTS.

SECT. IX.

OF THE CORRUPTION OF THE PRINCIPLES OF DEMOCRACY.

THE PRINCIPLE of DEMOCRACY is *corrupted* not only when the *ſpirit* of *equality* is *extinct*, but *likewiſe* when men fall into a *ſpirit of extreme equality*, and when *each citizen* would fain be upon *a level* with *thoſe whom* he has *choſen to command him.*—THEN THE PEOPLE, INCAPABLE OF BEARING THE VERY POWER THEY HAVE DELEGATED, WANT TO MANAGE EVERY THING THEMSELVES, TO DEBATE FOR THE SENATE, TO EXECUTE FOR THE MAGISTRATE, AND TO DECIDE FOR THE JUDGES.

When this is the caſe, VIRTUE *can no longer ſubſiſt in the republic.*—THE POPULACE ARE DESIROUS OF EXERCISING THE FUNCTIONS OF THE MAGISTRATES; WHO CEASE TO BE REVERED.—THE DELIBERATIONS OF THE SENATE ARE SLIGHTED; ALL RESPECT IS THEN LAID

LAID ASIDE FOR THE SENATORS, AND CONSEQUENTLY FOR OLD AGE.—IF THERE IS NO MORE RESPECT FOR OLD AGE, THERE WILL BE NONE PRESENTLY FOR PARENTS; DEFERENCE TO HUSBANDS WILL BE LIKEWISE THROWN OFF, AND SUBMISSION TO MASTERS.—THIS LICENTIOUSNESS WILL SOON BECOME GENERAL; AND THE TROUBLE OF COMMAND BE AS FATIGUING AS THAT OF OBEDIENCE.—WIVES, CHILDREN, SERVANTS, WILL SHAKE OF ALL SUBJECTION.—NO LONGER WILL THERE BE ANY SUCH THINGS AS MANNERS, ORDER, OR VIRTUE.

We find in *Xenophon's Banquet* a very lively deſcription of a REPUBLIC in which the *people* abuſed their *equality*.—Each gueſt gives in his turn the reaſon why he is ſatisfied.—"*Content I am*," ſays Chamides, "*be-*
"*cauſe of my poverty*.—WHEN I WAS RICH, *I was*
"*obliged to pay my court to informers, knowing I was*
"*more liable to be hurt by them, than capable of doing*
"*them harm.—The republic conſtantly demanded ſome*
"*new tax of me; and I could not decline paying*.—SINCE
"I AM GROWN POOR, *I have acquired authority; no-*
"*body threatens me; I rather threaten others.—I can go*
"*or ſtay where I pleaſe.—The rich already riſe from their*
"*ſeats and give me the way.—I am a king, I was before a*
"*ſlave:*

" *ſlave: I paid taxes to the republic, now it maintains*
" *me: I am no longer afraid of loſing; but I hope to ac-*
" *quire.*"

THE PEOPLE FALL INTO THIS MISFORTUNE, WHEN THOSE IN WHOM THEY CONFIDE, DESIROUS OF CONCEALING THEIR OWN CORRUPTION, ENDEAVOUR TO CORRUPT THEM.—TO DISGUISE THEIR OWN AMBITION, THEY SPEAK TO THEM ONLY OF THE GRANDEUR OF THE STATE; TO CONCEAL THEIR OWN AVARICE, THEY INCESSANTLY FLATTER THEIRS.

The corruption will increaſe among the corrupters, and likewiſe among thoſe who are already corrupted.—The people will divide the public money among themſelves, and having added the adminiſtration of affairs to their indolence, will be for blending their poverty with the amuſements of luxury.—But with their indolence and luxury, nothing but the public treaſure will be able to ſatisfy their demands.

We muſt not be ſurpriſed to ſee their ſuffrages given for money.—It is impoſſible to make great largeſſes to the people without great extortion: and to compaſs this, the ſtate muſt be ſubverted.—The greater the advantages they ſeem to derive from their liberty, the nearer they approach towards the critical moment of loſing it.

—*Petty tyrants ariſe, who have all the vices of a ſingle tyrant.—The ſmall remains of liberty ſoon become unſupportable; a ſingle tyrant ſtarts up, and the people are ſtripped of every thing, even of the profits of their corruption.*

DEMOCRACY hath therefore *two exceſſes to avoid*, the *ſpirit of inequality*, which leads to ariſtocracy or monarchy; and *the ſpirit of extreme equality*, which leads to deſpotic power.

True it is, that *thoſe who corrupted the* GREEK REPUBLICS did not *always* become *tyrants.*—This was *becauſe* they had *a greater paſſion* for *eloquence* than for the *military art.*—Beſides there reigned an implacable hatred in the breaſts of the Greeks againſt thoſe who ſubverted a republican government; and for this reaſon *anarchy degenerated into annihilation, inſtead of being changed into tyranny.*

But SYRACUSE, being ſituated in the midſt of a great number of petty ſtates, whoſe government had been changed from oligarchy to tyranny; and being governed by a ſenate[a] ſcarce ever mentioned in hiſtory, underwent ſuch miſeries as are the conſequence of a more than ordinary corruption.—*This city*, ever a prey to li-

[a] It was that of the ſix hundred, of whom mention is made by Diodorus.

centiouſneſs

centiouſneſs or oppreſſion, equally labouring under the ſudden and alternate ſucceſſion of liberty and ſervitude, and notwithſtanding her external ſtrength, conſtantly determined to a revolution by the leaſt foreign power: THIS CITY, I SAY, HAD IN HER BOSOM AN IMMENSE MULTITUDE OF PEOPLE, WHOSE FATE IT WAS TO HAVE ALWAYS THIS CRUEL ALTERNATIVE, EITHER OF CHOOSING A TYRANT TO GOVERN THEM, OR OF ACTING THE TYRANT THEMSELVES.

GREAT *ſucceſs*, eſpecially when chiefly owing to the people, intoxicates them to ſuch a degree that it is impoſſible to contain them within bounds.—JEALOUS OF THEIR MAGISTRATES, THEY SOON BECAME JEALOUS LIKEWISE OF THE MAGISTRACY; ENEMIES TO THOSE WHO GOVERN, THEY SOON PROVE ENEMIES ALSO TO THE CONSTITUTION. Thus it was that the victory over the Perſians in the Straits of Salamis corrupted the republic of Athens; and thus the defeat of the Athenians ruined the republic of Syracuſe.

SECT. X.

OF THE CORRUPTION OF THE PRINCIPLE OF AN ARISTOCRACY.

An ARISTOCRACY *is corrupted if the power of the nobles become arbitrary:* when this is the caſe, there can no longer be any public virtue either in the governors or the governed.

If the reigning families *obſerve the laws*, it is a monarchy with ſeveral monarchs, and in *its own nature* one of the *moſt excellent*; for almoſt all theſe monarchs are tied down by the laws.—*But when they do not obſerve them, it is a deſpotic ſtate ſwayed by a great many deſpotic princes.*

The *extremity* of *corruption* is when the *power* of the *nobles* becomes *hereditary*; for *then* they can hardly have any *moderation.*—If they are only a *few*, their *power* is *greater*, but their *ſecurity leſs*; if they are *a larger number*, their *power* is *leſs*, and their *ſecurity greater:* inſomuch that *power* goes on *increaſing*, and *ſecurity diminiſhing*,

niſhing, up to the very *deſpotic prince who is encircled* with *exceſs* of *power* and *danger*.

The *great number* therefore of *nobles* in *an hereditary ariſtocracy* renders the government *leſs violent:* but as there is *leſs virtue*, they fall into a ſpirit of ſupineneſs and negligence, by which the ſtate loſes all its ſtrength and activity.

An ARISTOCRACY may maintain the full vigour of its conſtitution, if the laws be ſuch as are apt to render *the nobles* more ſenſible of the *perils* and *fatigues*, than of the *pleaſure of command:* and if the government be in ſuch a ſituation as to have *ſomething to dread*, while *ſecurity* ſhelters under its protection, and *uncertainty* threatens from abroad.

As a *certain kind of confidence* forms the glory and ſtability of *monarchies*, republics on the contrary muſt have ſomething to apprehend [a].—A fear of the PERSIANS ſupported the laws of GREECE.—CARTHAGE and ROME were alarmed and ſtrengthened by each other.—Strange, that the greater ſecurity thoſe ſtates enjoyed, the more, like ſtagnated waters, they were ſubject to corruption! [b]

a Juſtin attributes the extinction of Athenian virtue to the death of Epaminandos. Having no farther emulation, they ſpent their revenues in feaſts, *frequentius cœnam, quam caſtra viſentes.* Then it was that the Macedonians emerged from obſcurity, l. 6.

b Monteſquieu.

SECT. XI.

OF THE CORRUPTION OF THE PRINCIPLE OF A MONARCHY.

AS DEMOCRACIES *are ſubverted when the people deſpoil the ſenate, the magiſtrates, and judges, of their functions; ſo* MONARCHIES *are corrupted when the prince inſenſibly deprives ſocieties or cities of their privileges.*—In the *former* caſe *the multitude* uſurp the power, in the *latter* it is uſurped by a *ſingle perſon.*

" *The deſtruction of the Dynaſties of Tſin and Soüi,*" ſays a Chineſe author, " *was owing to this; the princes,* " *inſtead of confining themſelves like their anceſtors, to a* " *general inſpection, the only one worthy of a ſovereign,* " *wanted to govern every thing* IMMEDIATELY BY " THEMSELVES."

The Chineſe author gives us in this inſtance, the cauſe of the corruption of almoſt all monarchies.

MONARCHY *is deſtroyed*, when a prince thinks he ſhews a greater exertion of power in *changing* than in *conforming to* the order of things; when he deprives *ſome*

of his ſubjects of their *hereditary employments* to beſtow them arbitrarily upon *others*; and when he is fonder of being guided by *fancy* than *judgment*.

Again, *it is deſtroyed* when the prince, directing every thing entirely to HIMSELF, *calls the ſtate to his capital, the capital to his court, and the court to his own perſon.*

It is *deſtroyed*, in fine, when the prince *miſtakes* his *authority*, his *ſituation*, and the *love of his people*; and when he is not fully perſuaded that a *monarch* ought to think himſelf *ſecure*, as a *deſpotic prince* ought to think himſelf in *danger*.

The principle of monarchy is corrupted, when the *firſt dignities* are marks of the *firſt ſervitude*, when the *great men* are deprived of *public reſpect*, and rendered the *low tools* of arbitrary power.

It is ſtill more corrupted, when *honor* is ſet up in contradiction to *honors*, and when men are capable of being loaded at the very ſame time with *infamy*[a] and with *dignities*.

[a] Under the reign of Tiberius ſtatues were erected to, and triumphal ornaments conferred on, informers; which debaſed theſe honours to ſuch a degree, that thoſe who had really merited them diſdained to accept of them.—See in Tacitus in what manner *Nero*, on the diſcovery and puniſhment of a pretended conſpiracy, beſtowed trumphal ornaments on Petronius Terpilianus, Nerva, and Tigellinus.—*Annal. book* 14.—See likewiſe how the generals refuſed to ſerve, becauſe they contemned the military honors, *pervulgatis triumphi inſignibus*, Tacit. Annal. book 13.

It

It is *corrupted* when the prince changes his *juſtice* into *ſeverity*; when he puts, like the Roman emperors, *a Meduſa's head on his breaſt*; and when he aſſumes *that menacing and terrible air* which Commodus ordered to be given to his ſtatues.

Again, IT IS CORRUPTED WHEN MEAN AND ABJECT SOULS GROW VAIN OF THE POMP ATTENDING THEIR SERVITUDE; AND IMAGINE THAT THE MOTIVE WHICH INDUCES THEM TO BE ENTIRELY DEVOTED TO THEIR PRINCE EXEMPTS THEM FROM ALL DUTY TO THEIR COUNTRY[a].

[a] Monteſquieu.

SECT. XII.

OF THE CORRUPTION OF THE PRINCIPLE OF A DESPOTIC GOVERNMENT.

The *principle* of A DESPOTIC GOVERNMENT is ſubject to a *continual corruption*, becauſe it is even in its *nature corrupt*.—*Other governments* are *deſtroyed* by *particular accidents*, which *do violence* to the *principles* of *each conſtitution*; *this* is *ruined* by its own *intrinſic imperfections*. —It *maintains itſelf therefore* only when *circumſtances* drawn from the *climate*, *religion*, *ſituation*, or *genius of the people*, oblige it to *conform to order*, and to admit of *ſome rule*.—By theſe things its *nature* is *forced* without being *changed*; its *ferocity remains*; and it is made *tame* and *tractable only for an interval*[a].

[a] Monteſquieu.

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THE DISTINCTIVE PROPERTIES OF THE THREE GOVERNMENTS.

SECT. XIII.

THE DISTINCTIVE PROPERTIES OF A REPUBLIC.

IT is natural for a REPUBLIC to have only a SMALL TERRITORY; otherwiſe it cannot *long ſubſiſt*.—In an *extenſive republic* there are *men of large fortunes*, and conſequently of *leſs moderation*; there *are truſts too conſiderable to be placed in any ſingle ſubject*; *he has intereſts of his own*; *he ſoon begins to think that he may be happy and glorious, by oppreſſing his fellow citizens*; *and that he may raiſe himſelf to grandeur on the ruins of his country.*

In an EXTENSIVE REPUBLIC *the public good is ſacrificed to a thouſand private views*; it is *ſubordinate* to *exceptions*, and *depends* on *accidents*.—In a SMALL ONE, *the intereſt of the public is more obvious, better underſtood, and more within the reach of every citizen*; *abuſes have leſs extent, and of courſe are leſs protected.*

The long duration of the republic of SPARTA was owing

owing to her having continued in the *ſame extent* of *territory* after all her wars.—The *ſole aim* of *Sparta* was *liberty*; and the *ſole advantage* of her *liberty*, *glory*.

It was the *ſpirit* of the *Greek republics* to be as *contented* with their *territories*, as with their *laws*.—ATHENS was *firſt fired with ambition* and *gave it* to LACEDÆMON; but it was an *ambition* rather of *commanding* a *free people*, than of *governing ſlaves*; rather of *directing* than of *breaking the union*.—All was loſt upon the ſtarting up of a *monarchy*, a *government whoſe ſpirit is more turned to increaſe of dominion*[a].

[a] Monteſquieu.

SECT. XIV.

THE NATURAL LIMITS OF A MONARCHY.

A MONARCHICAL STATE ought to be of a MODERATE EXTENT.—Were it *ſmall*, it would form itſelf into a *republic:* were it *very large, the nobility, poſſeſſed of great eſtates, far from the eye of the prince, with a private court of their own, and ſecure moreover from ſudden executions by the laws and manners of the country, ſuch a nobility, I ſay, might throw off their allegiance, having nothing to fear from too ſlow and too diſtant a puniſhment.*

After the deceaſe of Alexander his empire was divided. How was it *poſſible* for thoſe Greek and Macedonian chiefs, who were each of them free and independent, or commanders at leaſt of the victorious bands diſperſed throughout *that vaſt extent of conquered land*, how was it *poſſible*, I ſay, *for them to be long united*[a]?

[a] Monteſquieu.

SECT. XV.

THE DISTINCTIVE PROPERTY OF A DESPOTIC GOVERNMENT.

A LARGE EMPIRE ſuppoſes a DESPOTIC AUTHORITY in the *perſon who governs*.—It is neceſſary that the *quickneſs of the prince's reſolutions* ſhould ſupply the *diſtance* of the *places they are ſent to*; that *fear* ſhould *prevent* the *remiſſneſs* of the *diſtant governor or magiſtrate*; that the *law* ſhould be *derived* from a *ſingle perſon*, and ſhould *ſhift continually*, according to the *accidents* which *inceſſantly multiply* in a ſtate in *proportion* to its *extent* [a].

[a] Monteſquieu.

SECT.

SECT. XVI.

THE MANNER IN WHICH DIFFERENT GOVERNMENTS PROVIDE FOR THEIR SECURITY.

A *kingdom* of a *moderate extent* is liable to *ſudden invaſions:* it muſt *therefore* have *fortreſſes* to defend its *frontiers*; and *troops* to garriſon thoſe fortreſſes.—*The leaſt ſpot of ground is diſputed with military ſkill and reſolution.—Fortreſſes* are proper for *monarchies*; DESPOTIC GOVERNMENTS *are afraid of them.*—They *dare not* intruſt *their officers with ſuch a command*, as none of them have any affection for the prince or his government.

DESPOTIC GOVERNMENTS, when invaded, *ſacrifice a part of the country*; and by ravaging and deſolating the *frontiers*, they render *the heart of the empire inacceſſible.*

They preſerve themſelves likewiſe by *another kind of ſeparation*, which is by putting the moſt diſtant provinces into the hands of a great vaſſal.—The MOGUL, the king of PERSIA, and the emperors of CHINA, have their ſudatories; and the TURKS have found their ac-

count in putting the Tartars, the Moldavians, the Wallachians, and formerly the Tranſilvanians, *between themſelves and their enemies.*

The *real power* of a prince does not conſiſt ſo much in the *facility he meets with in making conqueſts*, as in the *difficulty an enemy finds in attacking him*, and, if I may ſo ſpeak, in the *immutability* of his condition. But the *increaſe of territory* obliges a government to lay itſelf *more open* to an enemy.

As Monarchs therefore ought to be endued with *wiſdom* in order to *increaſe their power*, they ought likewiſe to have an *equal ſhare of prudence to confine it within bounds.*—Upon removing the *inconveniencies of too ſmall a territory*, they ſhould have their eye conſtantly on the *inconveniencies which attend its extent*[a].

[a] Monteſquieu.

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WHICH
THE DIFFERENT FORMS OF GOVERNMENT
GIVE TO THE NATIONAL CHARACTER.

SECT. XVII.

THE EFFECTS OF MONARCHY ON THE NATIONAL CHARACTER.

IN MONARCHIES *our character* is not formed in colleges or academies,—It *commences*, in ſome meaſure, at *our ſetting out in the world*; for *this* is the *ſchool* of what we call *honour*, *that univerſal preceptor which ought every where to be our guide.*

In our days we receive *three different* or *contrary educations*, namely, of our *parents*, of our *maſters*, and of the *world.*—What we learn in the *latter*, effaces all the ideas of the *former.*

Here it is that we conſtantly hear *theſe* rules or maxims, viz. *that we ſhould have a certain nobleneſs in our virtues, a kind of frankneſs in our morals, and a particular politeneſs in our behaviour.*

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The *virtues* we are here taught are not ſo much *what draws us toward ſociety, as what diſtinguiſhes us from our fellow citizens.*

Here the *actions* of men are judged, not as *virtuous*, but as *ſhining*; not as *juſt*, but as *great*.

Here *gallantry* is allowed, when united with the idea of *ſenſible affection*; this is the reaſon why we never meet with ſo ſtrict a purity of morals in monarchies, as in republican governments.

It allows of *cunning* and *craft*, when joined with the notion of *greatneſs of ſoul or importance of affairs*; as, for inſtance, in politics, with whoſe fineſſes it is far from being offended.

It does not forbid *adulation*, but when *ſeparate from* the idea of a *large fortune*, and *connected only* with the ſenſe of *our mean condition.*

With regard to *morals*, the education of monarchies admits of a *certain frankneſs and open carriage.—Truth therefore in converſation is here a neceſſary point.*—But is it for the *ſake of truth?* by no means.—*Truth is requiſite only*, becauſe a perſon habituated to *veracity* has an air of freedom, and acquires our confidence.—And indeed, a man of *this ſtamp* ſeems to lay leſs ſtreſs on the *thing itſelf*, than on *the manner* in which he will be received.

Hence

Hence it is, *that in proportion as this kind of frankneſs is commended, that of the common people is deſpiſed,* which has nothing *but truth* and *ſimplicity* for its object.

In fine, *the education of monarchies* requires a *certain politeneſs* of behaviour.—Man, a ſociable animal, is formed to pleaſe in ſociety; and a perſon that would break through the rules of decency, ſo as to ſhock thoſe he converſed with, would loſe the *public eſteem*, and become *incapable of doing any good.*

BUT POLITENESS, GENERALLY SPEAKING, DOES NOT DERIVE ITS ORIGINAL FROM SO PURE A SOURCE.—IT RISES FROM A DESIRE OF DISTINGUISHING OURSELVES.—IT IS PRIDE THAT RENDERS US POLITE: WE ARE FLATTERED WITH BEING TAKEN NOTICE OF FOR A BEHAVIOUR THAT SHEWS WE ARE NOT OF A MEAN CONDITION, AND THAT WE HAVE NOT BEEN BRED UP WITH THOSE WHO IN ALL AGES ARE CONSIDERED AS THE SCUM OF THE PEOPLE.

Politeneſs, in monarchies, is *naturaliſed at court.*—Hence that *politeneſs*, equally pleaſing to thoſe *by whom*, as to thoſe *towards whom*, it is practiſed; becauſe it gives people to underſtand, that a perſon *actually belongs*, or at leaſt *deſerves to belong*, to the *court.*

A *court air* conſiſts in quitting a *real* for a *borrowed greatneſs*.—The *latter* pleaſes the courtier more than the *former*.—It inſpires him with *a certain diſdainful modeſty, which ſhews itſelf externally, but whoſe pride inſenſibly diminiſhes in proportion to its diſtance from the ſource of this greatneſs.*

At court we find a delicacy of taſte in every thing, a delicacy ariſing from the conſtant uſe of the ſuperfluities of life, from the variety, and eſpecially the ſatiety of pleaſures, from the multiplicity and even confuſion of fancies, which, if they are but agreeable, are ſure of being well received.

Here it is that HONOUR interferes with every thing, mixing even with people's manner of thinking, and directing their very principles.

To *this whimſical honour* it is owing *that the virtues are only juſt what it pleaſes*; it adds *rules of its own invention* to every thing preſcribed to us; it *extends or limits our duties* according to its own *fancy*, whether they proceed from *religion*, *politics*, or *morality*.

There is nothing ſo ſtrongly inculcated in *monarchies*, by the *laws*, by *religion*, and *honour*, *as ſubmiſſion to the prince's will*; but *this very honour tells us*, that the prince never ought to command a *diſhonourable action*,

tion, becauſe this would render us *incapable* of ſerving him.

CRILLON refuſed to *aſſaſſinate* the Duke of Guiſe, but offered to *fight him*. After the maſſacre of St. Bartholomew, CHARLES IX. having ſent orders to the governors in the ſeveral provinces for the Hugonots to be murdered, VISCOUNT DORTE, who commanded at Bayonne, wrote thus to the king, SIRE, AMONG THE INHABITANTS OF THIS TOWN, AND YOUR MAJESTY'S TROOPS, I COULD NOT FIND SO MUCH AS ONE EXECUTIONER; THEY ARE HONEST CITIZENS AND BRAVE SOLDIERS.—WE JOINTLY THEREFORE BESEECH YOUR MAJESTY TO COMMAND OUR ARMS AND LIVES IN THINGS THAT ARE PRACTICABLE.—*This great and generous ſoul looked upon a baſe action as a thing impoſſible.*

There is nothing that *honour* more ſtrongly recommends to the nobility, *than to ſerve their prince in a military capacity*.—Yet *this very law* of its own making, *honour chooſes to explain*; and in caſe of *any affront*, it *requires* or *permits us to retire*.

Honour therefore has *its ſupreme laws*, to which education is obliged to conform.—The chief of theſe are, *that we are permitted to ſet a value upon our for-*

tune, but are abſolutely forbidden to ſet any upon our lives.

The ſecond is, *that when we are raiſed to a poſt or preferment, we ſhould never do or permit any thing which may ſeem to imply that we look upon ourſelves as inferior to the rank we hold.*

The third is, *that thoſe things which honour forbids are more rigorouſly forbidden, when the laws do not concur in the prohibition; and thoſe it commands are more ſtrongly inſiſted upon, when they happen not to be commanded by law.*

SECT. XVIII.

THE EFFECTS OF DESPOTISM ON THE NATIONAL CHARACTER.

IN DESPOTIC STATES *learning* proves dangerous, *emulation* fatal; and as to *virtue*, Ariſtotle cannot think there is any *one virtue* belonging to *ſlaves*; if ſo, education in *deſpotic countries is confined within a narrow compaſs.*

Exceſſive obedience ſuppoſes *ignorance* in the perſon that *obeys:* for he has *no occaſion to deliberate, to doubt, to reaſon*; he has *only to will.*

Here therefore *education* is in ſome meaſure *needleſs:* to give *ſomething*, one muſt *take away every thing*; and begin with making *a bad ſubject*, in order to make a *good ſlave.*

FOR WHY SHOULD EDUCATION TAKE PAINS IN FORMING A GOOD CITIZEN, ONLY TO MAKE HIM SHARE IN THE PUBLIC MISERY?—IF HE LOVES HIS COUNTRY, HE WILL STRIVE TO RELAX THE SPRINGS OF GOVERNMENT; IF HE MISCARRIES HE WILL BE UNDONE; IF HE SUCCEEDS, HE MUST EXPOSE HIMSELF, THE PRINCE, AND HIS COUNTRY, TO RUIN.

SECT. XIX.

THE EFFECTS OF A REPUBLIC ON THE NATIONAL CHARACTER.

Most of the ancients lived under governments that had *virtue* for their principle; and when this was in full vigour, they performed actions unuſual in our times, and at which our narrow minds are aſtoniſhed.

It is in a *republican government* that the whole power of education is required.—It muſt inſpire us with the ove of *the laws* and of our *country*.—And as *ſuch love* requires a conſtant preference of *public* to *private* intereſt, it demands a ſpecies of ſelf-renunciation, which is ever arduous and painful.

Every thing depends on eſtabliſhing *this love in a republic*; and to inſpire it ought to be the principal buſineſs of education: but the ſureſt way of inſtilling it into children, is for parents to ſet them *an example.*

People have it generally in their power to communicate their ideas to their children; but they are ſtill better able to transfuſe *their paſſions.*

Virtue

Virtue in a republic is a moſt *ſimple thing*; it is *a love of the republic*; it is a *ſenſation*, and not a *conſequence of acquired knowledge: a ſenſation*, that may be *felt by the meaneſt* as well as by the *higheſt perſon* in the ſtate.—When the *common people* adopt *good maxims*, they generally adhere to them *with great ſteadineſs*.

The *love of our country* is conducive to *purity of morals*, and *the latter* is again conducive to the *former*.—The leſs we are able to ſatisfy our *private paſſions*, the more we abandon ourſelves to thoſe of a *general nature*.

SECT. XX.

THE EFFECTS OF CLIMATE ON THE NATIONAL CHARACTER.

A *cold air*[a] conſtringes the extremities of the external fibres of the body; this increaſes their elaſticity, and favours the return of the blood from the extreme parts to the heart.—It contracts[b] thoſe very fibres; conſequently it increaſes alſo their force.—On the contrary a *warm air* relaxes and lengthens the extremes of the fibres; of courſe it diminiſhes their force and elaſticity.

People are therefore *more vigorous in cold climates.*—Here the action of the heart and the reaction of the extremities of the fibres are better performed, the temperature of the humours is greater, the blood moves freer towards the heart, and reciprocally the heart has more power.—*This ſuperiority of ſtrength muſt produce various effects*; for inſtance, *a greater boldneſs*, that is,

[a] This appears even in the countenance: in cold weather people look thinner.

[b] We know it ſhortens iron.

more

more courage; *a greater ſenſe of ſuperiority*, that is, leſs deſire of revenge; *a greater opinion of ſecurity*, that is, more frankneſs, leſs ſuſpicion, policy, and cunning.—*In ſhort*, this muſt be productive of very different tempers.—PUT A MAN INTO A CLOSE WARM PLACE, AND FOR THE REASONS ABOVE GIVEN HE WILL FEEL A GREAT FAINTNESS.—IF UNDER THIS CIRCUMSTANCE YOU PROPOSE A BOLD ENTERPRIZE TO HIM, I BELIEVE YOU WILL FIND HIM VERY LITTLE DISPOSED TOWARDS IT: HIS PRESENT WEAKNESS WILL THROW HIM INTO A DESPONDENCY; HE WILL BE AFRAID OF EVERY THING, BEING IN A STATE OF TOTAL INCAPACITY.—The inhabitants of *warm countries* are, like old men, timorous; the people in *cold countries* are, like young men, brave.—If we reflect on the late wars[a], which are more recent in our memory, and in which we can better diſtinguiſh ſome particular effects that eſcape us at a greater diſtance of time; we ſhall find that the northern people tranſplanted into ſouthern regions[b], did not perform ſuch exploits as their countrymen, who, fighting in their own climate, poſſeſſed their full vigour and courage.

[a] Thoſe for the ſucceſſion to the Spaniſh monarchy.

[b] For inſtance in Spain.

This ſtrength of the fibres in northern nations is the cauſe that the coarſer juices are extracted from their aliments.—From hence *two things* reſult: *one*, that the parts of the chyle or lymph are more proper by reaſon of their large ſurface, to be applied to, and to nouriſh, the fibres: *the other*, that they are leſs proper, from their coarſeneſs, to give a certain ſubtilty to the nervous juice.—*Thoſe people have therefore large bodies and but little vivacity.*

The nerves that terminate from all parts in the cutis form each a nervous bundle; generally ſpeaking, the whole nerve is not moved, but a very minute part.—In *warm climates*, where the cutis is relaxed, the ends of the nerves are expanded and laid open to the weakeſt action of the ſmalleſt objects.—In *cold countries* the cutis is conſtringed and the papillæ compreſſed; the miliary glands are in ſome meaſure paralytic; and the ſenſation does not reach the brain, but when it is very ſtrong and proceeds from the whole nerve at once. *Now imagination, taſte, ſenſibility, and vivacity, depend on an infinite number of ſmall ſenſations.*

In *cold countries*, they have very little ſenſibility for pleaſure; *in temperate countries*, they have more; *in warm countries*, their ſenſibility is exquiſite.—As *cli-*

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mates are diſtinguiſhed by degrees of *latitude*, we might diſtinguiſh them alſo in ſome meaſure, by thoſe of *ſenſibility*.—I have been at the opera in ENGLAND and in ITALY; where I have ſeen the *ſame pieces* and the *ſame performers:* and yet the *ſame muſic produces ſuch different effects on the two nations*; one *is ſo cold and phlegmatic, and the* other *ſo lively and enraptured*, that it ſeems almoſt inconceivable.

It is the ſame with regard to *pain*; which is excited by the laceration of ſome fibre of the body.—The author of nature has made it an eſtabliſhed rule that this pain ſhould be more acute in proportion as the laceration is greater: now it is evident, that the large bodies and coarſe fibres of the people of the *north*, are leſs capable of laceration than the delicate fibres of the inhabitants of *warm countries*; conſequently the ſoul is there leſs ſenſible of pain.—*You muſt flay a Muſcovite alive to make him feel.*

From this delicacy of organs peculiar to *warm climates*, it follows that the ſoul is moſt ſenſibly moved by whatever relates to the union of the two ſexes: here every thing leads to this object.

In *northern climates* ſcarce has the animal part of love a power of making itſelf felt.—In *temperate climates*,

love, attended by a thouſand appendages, endeavours to pleaſe by things that have at firſt the appearance, though not the reality of this paſſion.—In *warmer climates* it is liked for its own ſake, it is the only cauſe of happineſs, it is life itſelf

In *ſouthern countries* a machine of a delicate frame, but ſtrong ſenſibility, reſigns itſelf wholly to a paſſion that is inceſſantly flattered in a ſeraglio; or gives way to the love of women who are in perfect independence, and is conſequently expoſed to a thouſand inquietudes.—In *northern regions* the men, robuſt and heavy, find a pleaſure in whatever is apt to throw the ſpirits into motion, ſuch as hunting, travelling, war, and wine.—*If we travel towards the north*, we meet with people who have few vices, many virtues, and a great ſhare of frankneſs and ſincerity.—*If we draw near the ſouth*, we fancy ourſelves intirely removed from the verge of morality: here the ſtrongeſt paſſions are productive of all manner of crimes, each man endeavouring, let the means be what they will, to indulge his inordinate deſires.—In *temperate climates* we find the inhabitants inconſtant in their manners, as well as in their vices and virtues: the climate has not a quality determinate enough to fix them.

THE HEAT OF THE CLIMATE MAY BE SO EXCESSIVE AS TO DEPRIVE THE BODY OF ALL VIGOR AND STRENGTH.—THEN THE FAINTNESS IS COMMUNICATED TO THE MIND; THERE IS NO CURIOSITY, NO ENTERPRIZE, NO GENEROSITY OF SENTIMENT; THE INCLINATIONS ARE ALL PASSIVE; INDOLENCE CONSTITUTES THE UTMOST HAPPINESS; SCARCELY ANY PUNISHMENT IS SO SEVERE AS MENTAL EMPLOYMENT; AND SLAVERY IS MORE SUPPORTABLE THAN THE FORCE AND VIGOR OF MIND NECESSARY FOR HUMAN CONDUCT.

The INDIANS are naturally a puſillanimous people; even *the children of Europeans born in India* loſe the courage peculiar to their own climate.—But how ſhall we reconcile this with their cuſtoms, and penances ſo full of barbarity? *the men voluntarily undergo the greateſt hardſhips*; *and the women burn themſelves*: here we find a very odd compound of fortitude and weakneſs.

Nature having framed thoſe people of a texture ſo *weak* as to fill them with *timidity*, has formed them at the ſame time of an *imagination ſo lively*, that *every object* makes the *ſtrongeſt impreſſion* upon them.—THAT DELICACY OF ORGANS WHICH RENDERS THEM APPREHENSIVE OF DEATH, CONTRIBUTES LIKEWISE TO

MAKE THEM DREAD A THOUSAND THINGS MORE THAN DEATH: THE VERY SAME SENSIBILITY INDUCES THEM TO FLY, AND DARE, ALL DANGERS.

In ASIA the *ſtrong nations* are oppoſed to the *weak*; the *warlike*, *brave*, and *active people* touch immediately on thoſe who are *indolent*, *effeminate*, *and timorous*; the *one muſt therefore conquer*, and the *other be conquered*.—In EUROPE, on the contrary, *ſtrong nations* are oppoſed to *the ſtrong*; and thoſe who join to each other have nearly the ſame courage.—*This is the grand reaſon of the weakneſs of* ASIA, *and of the ſtrength of* EUROPE: *of the liberty of* EUROPE *and of the ſlavery of* ASIA.—From hence it proceeds, that *liberty in* ASIA *never increaſes*; whilſt *in* EUROPE *it is enlarged, or diminiſhed*, according to particular circumſtances.

SECT.

SECT. XVI.

OF THE BRITISH CONSTITUTION.

IT is natural for men to think *that government the beſt*, under which they drew their firſt breath, and to propoſe it as a model and ſtandard for all others.—But, if any people upon earth have a *juſt title thus to boaſt*, it is *we of this iſland*; who enjoy a CONSTITUTION, wiſely moulded, out of all the different forms and kinds of civil government, into ſuch an excellent and happy frame, *as contains in it all the advantages of thoſe ſeveral forms, without ſharing deeply in any of their great inconveniencies.*—A CONSTITUTION, *nicely poized* between the extremes of too much liberty, and too much power; the *ſeveral parts of it* having a *proper check* upon each other: by the means of which they are all reſtrained, or ſoon reduced, within their due bounds: and yet the *peculiar powers*, with which each is ſeparately inveſted, are ſure always, in *dangerous conjunctures*, to give way to the *common good of the whole.*—A CONSTITUTION, *where the prince is cloathed with a power, that enables him to do all*

the good he hath a mind to; and wants no degree of authority, but what a good prince would not, and an ill one ought not to have: Where he governs, though not abſolutely, yet glorioufly, becauſe he governs men, and not ſlaves; and is obeyed by them cheerfully, becauſe they know that, in obeying him, they obey thoſe laws only which they themſelves had a ſhare in contriving.—A CONSTITUTION, *where, in ſhort, the intereſt of prince and ſubject, are perpetually the ſame; and the only fatal miſtake, that ever happens in our politicks, is, when they are thought to be divided* [a].

THIS EXCELLENT CONSTITUTION, LIKE THAT OF MOST COUNTRIES IN EUROPE, HATH GROWN OUT OF OCCASION AND EMERGENCY; FROM THE FLUCTUATING POLICY OF DIFFERENT AGES; FROM THE CONTENTIONS, SUCCESSES, INTERESTS, AND OPPORTUNITIES OF DIFFERENT ORDERS AND PARTIES OF MEN IN THE COMMUNITY.—IT RESEMBLES ONE OF THOSE OLD MANSIONS, WHICH, INSTEAD OF BEING BUILT ALL AT ONCE, AFTER A REGULAR PLAN, AND ACCORDING TO THE RULES OF ARCHITECTURE AT PRESENT ESTABLISHED, HAS BEEN REARED IN DIFFERENT AGES OF THE ART, HAS BEEN ALTERED FROM TIME TO TIME, AND HAS BEEN CONTINUALLY RECEIVING

[a] Atterbury.

ADDITIONS

ADDITIONS AND REPAIRS SUITED TO THE TASTE, FORTUNE, OR CONVENIENCY, OF ITS SUCCESSIVE PROPRIETORS.—IN SUCH A BUILDING WE LOOK IN VAIN FOR THE ELEGANCE AND PROPORTION, FOR THE JUST ORDER AND CORRESPONDENCE OF PARTS, WHICH WE EXPECT IN A MODERN EDIFICE; AND WHICH EXTERNAL SYMMETRY, AFTER ALL, CONTRIBUTES MUCH MORE PERHAPS TO THE AMUSEMENT OF THE BEHOLDER, THAN THE ACCOMMODATION OF THE INHABITANT [a].

[a] Paley.

SECT.

SECT. XVII.

OF A REFORM IN PARLIAMENT.

WHEN we contemplate the THEORY OF THE BRITISH GOVERNMENT we ſee THE KING inveſted with the moſt *abſolute perſonal impunity*; with a *power of rejecting laws*, which have been reſolved upon *by both houſes of parliament*; of *conferring by his charter*, upon *any ſet or ſucceſſion of men he pleaſes*, the *privilege of ſending repreſentatives into one houſe of parliament*, as *by his immediate appointment he can place whom he will in the other*.—What is this, a *foreigner* might aſk, but a more *circuitous deſpotiſm?*—Yet, when we turn our attention from the *legal extent* to the ACTUAL EXERCISE of *royal authority* in England, we ſee theſe *formidable prerogatives* dwindled into *mere ceremonies*; and IN THEIR STEAD, *a ſure and commanding influence* eſtabliſhed, ariſing from that *enormous patronage, which the increaſed territory and opulence of the empire has placed in the diſpoſal of the executive magiſtrate.*

Upon

Upon queſtions of REFORM the habit of reflection to be encouraged, is a ſober compariſon of the conſtitution under which we live, not with models of *ſpeculative perfection*, but with the *actual chance* of obtaining *a better*.—*This turn of thought will generate a political diſpoſition, equally removed from that* PUERILE ADMIRATION *of preſent eſtabliſhments which ſees no fault, and can endure no change, and that* DISTEMPERED SENSIBILITY, *which is alive only to perceptions of inconveniency, and is too impatient to be delivered from the uneaſineſs which it feels, to compute either the peril, or expence of the remedy.*

Political innovations commonly produce *many effects* beſide *thoſe* that are *intended*.—The *direct conſequence* is often the *leaſt important*.—*Incidental, remote*, and *unthought* of *evils* or *advantages* frequently *exceed the good* that is *deſigned*, or the *miſchief* that is *foreſeen*—It is from the ſilent and unobſerved operation, from the obſcure progreſs of cauſes, ſet at work for different purpoſes, that the greateſt revolutions take their riſe.

When ELIZABETH, and her IMMEDIATE SUCCESSOR, applied themſelves to the encouragement and regulation of TRADE by many wiſe laws, they knew not, that, together with wealth and induſtry, they were

diffuſing a *conſciouſneſs of ſtrength and independency, which would not long endure, under the forms of a mixed government, the dominion of arbitrary princes.*

When it was debated whether the MUTINY ACT (the law by which the army is governed and maintained) ſhould be *temporary* or *perpetual*, little elſe probably occurred to the advocates of *an annual bill*, than the expediency of retaining a *control over the moſt dangerous prerogative of the crown*——THE DIRECTION AND COMMAND OF A STANDING ARMY: whereas, in its effect, *this ſingle reſervation has altered the whole frame and quality of the Britiſh conſtitution.*—For ſince, in conſequence of the military ſyſtem which prevails in neighbouring and rival nations, as well as on account of the internal exigencies of government, *a ſtanding army* has become *eſſential* to the ſafety and adminiſtration of the empire, it enables parliament, by *diſcontinuing this neceſſary proviſion*, ſo to enforce its reſolutions upon any other ſubject, as to render the king's *diſſent* to a law, which has received the *approbation* of both houſes, too *dangerous an experiment* any longer to be adviſed.—A *conteſt* between the *king* and *parliament* cannot now be *perſevered in*, without a diſſolution of the government.—Laſtly, when the conſtitu-

tion

tion conferred upon the crown *the nomination to all employments in the public ſervice*, the authors of this arrangement were led to it, by the obvious propriety of leaving to a maſter the choice of his ſervants; and *by the manifeſt inconveniency of engaging the national council, upon every variety, in thoſe perſonal conteſts which attend elections to places of honour and emoluments*.—Our anceſtors did not obſerve that this diſpoſition added an *influence* to the *regal office*, which, as the number and value of public employments increaſed, would ſuperſede in a great meaſure the forms, and change the character of the ancient conſtitution.—They knew not what the experience and reflection of modern ages has diſcovered, that *patronage* univerſally is *power*; that he who poſſeſſes in a ſufficient degree the means of gratifying the deſires of mankind after wealth and diſtinction, by whatever checks and forms his authority may be limited or diſguiſed, will direct the management of public affairs.—Whatever be the mechaniſm of the political engine, he will guide the motion.

Theſe inſtances are adduced to illuſtrate the propoſition we laid down, that, in politics, the moſt important and permanent effects have, for the moſt part, been incidental and unforeſeen: and this propoſition we inculcate, for the ſake of the caution which it teaches,

that *changes ought not to be adventured upon* without a *comprehenſive diſcernment* of the *conſequences*,—without a *knowledge*, as well of the *remote tendency*, as of the immediate deſign.—*The courage of a ſtateſman ſhould reſemble that of a commander, who, however regardleſs of perſonal danger, never forgets that with his own he commits the lives and fortunes of a multitude; and who does not conſider it as any proof of zeal or valour, to ſtake the ſafety of other men, upon the ſucceſs of a perilous or deſperate enterprize.*

There is one *end of civil government* peculiar to *a good conſtitution*, namely, *the happineſs of its ſubjects*; there is another *end eſſential* to a *good government*, but common to it with many bad ones—*its own preſervation.*—Obſerving that the *beſt* form of government would be *defective*, which *did not provide* for its own *permanency*, in our political reaſonings we conſider all ſuch proviſions as expedient; and are content to accept as a *ſufficient ground* for a meaſure, or law, that it is *neceſſary* or conducive *to the preſervation of the conſtitution.*

The Government of England, which has been ſometimes called a *mixed government*, ſometimes a *limited monarchy*, is formed by a combination of the *three* regular ſpecies of government; *the monarchy, reſiding in the King*; *the*

ariſtocracy, in the Houſe of Lords; and the republic being repreſented by the Houſe of Commons.—The perfection intended by ſuch a ſcheme of government is, to *unite* the *advantages* of the ſeveral ſimple forms, and to *exclude* the *inconveniencies.*—To what degree this purpoſe is attained or attainable in the Britiſh conſtitution; wherein it is loſt ſight of or neglected; and by what means it may in any part be promoted with better ſucceſs, the reader will be enabled to judge, by a ſeparate recollection of theſe advantages and inconveniencies, as enumerated in ſection the 4th, and a diſtinct application of each to the political condition of this country.—We will preſent our remarks upon the ſubject in a brief account of the expedients by which the Britiſh conſtitution provides,

1*ſt*, FOR THE INTEREST OF ITS SUBJECTS.

2*dly*, FOR ITS OWN PRESERVATION.

The contrivances for the firſt of theſe purpoſes are the following:

In order to promote the eſtabliſhment of ſalutary laws, *every citizen* of the ſtate is *capable* of becoming *a member of the ſenate*; and *every ſenator* poſſeſſes the *right of propounding* to the deliberation of the legiſlature *whatever law he pleaſes.*

Every

Every diſtrict of the empire enjoys the privilege of chooſing repreſentatives, *informed of the intereſts and circumſtances and deſires of their conſtituents*, and *entitled* by their ſituation *to communicate that information* to the *national council*.—The meaneſt ſubject has ſome one whom he can call upon to bring forward his complaints and requeſts to public attention.

By annexing the right of voting for members of the Houſe of Commons to different qualifications in different places, each order and profeſſion of men in the community become virtually repreſented; that is, men of all orders and profeſſions, *ſtateſmen*, *courtiers*, *country gentlemen*, *lawyers*, *merchants*, *manufacturers*, *ſoldiers*, *ſailors*, intereſted in the proſperity, and experienced in the occupation of their reſpective profeſſions, *obtain ſeats in parliament*.

The elections, at the ſame time, are ſo connected with the *influence* of *landed property* as to afford a *certainty* that a *conſiderable number of men of great eſtates will be returned to parliament*; and are alſo ſo modified, that men the *moſt eminent* and *ſucceſsful* in their reſpective *profeſſions*, are the *moſt likely*, by their *riches*, or the *weight* of their ſtations, to *prevail* in theſe competitions.

The

The *number*, *fortune*, and *quality* of the members; the *variety* of *intereſts* and *characters* amongſt them; above all, the *temporary duration* of their *power*, and the *change of men* which every *new* election produces, are ſo many *ſecurities* to the public, as well againſt the ſubjection of their judgments to any external dictation, as againſt the formation of a junto in their own body, ſufficiently powerful to govern their deciſions.

The *repreſentatives* are ſo *intermixed* with the *conſtituents*, and the *conſtituents* with the *reſt of the people*, that they *cannot*, without a partiality too flagrant to be endured, *impoſe any burden upon the ſubject*, *in which they do not ſhare themſelves*; nor ſcarcely can they adopt an advantageous regulation, in which their own intereſts will not *participate* of the advantage.

The proceedings and debates of parliament, and the parliamentary conduct of each repreſentative, are known by the people at large.

The repreſentative is ſo far *dependent* upon the *conſtituent*, and *political importance* upon *public favour*, that a *member of parliament* cannot more effectually *recommend* himſelf to *eminence* and *advancement* in the ſtate, *than by contriving and patroniſing laws of public utility*.

When

When *intelligence* of the *condition*, *wants*, and *occaſions* of the people, is thus *collected* from *every quarter*, when ſuch a *variety* of invention, and *ſo many* underſtandings are ſet at work upon the ſubject, it may be *preſumed*, that the moſt eligible, expedient, remedy, or improvement, *will occur to ſome one or other*; and when a wiſe counſel, or beneficial regulation, is once ſuggeſted, it may be *expected*, from the diſpoſition of an aſſembly ſo conſtituted as the Britiſh Houſe of Commons is, *that it cannot fail of receiving the approbation of a majority.*

To prevent thoſe deſtructive contentions for the ſupreme power, which are ſure to take place, where the members of the ſtate do not live under an acknowledged head, and a known rule of ſucceſſion; to preſerve the people in tranquillity at home, by a ſpeedy and vigorous execution of the laws; to protect their intereſt abroad, by ſtrength and energy in military operations, by thoſe advantages of deciſion, ſecrecy, and diſpatch, which belong to the reſolutions of monarchical councils;—*for theſe purpoſes*, the conſtitution has committed the *executive government* to the adminiſtration and *limited* authority of an *hereditary King*.

In the defence of the empire; in the maintenance of its power, dignity, and privileges, with foreign nations;

tions; in the advancement of its trade by treaties and conventions; and in the providing for the general adminiſtration of municipal juſtice, by a proper choice and appointment of magiſtrates, the inclination of the king and of the people uſually coincide: in this part, therefore, of the regal office, the *conſtitution* entruſts the prerogative with *ample powers*.

The *dangers* principally to be apprehended from regal government, relate to the two articles of TAXATION and PUNISHMENT.—In every form of government, from which the people are excluded, it is the intereſt of the governors to get as much, and of the governed to give as little, as they can: the power alſo of puniſhment, in the hands of an arbitrary prince, oftentimes becomes an engine of extortion, jealouſy, and revenge.—*Wiſely*, therefore, hath the BRITISH CONSTITUTION *guarded the ſafety* of the people, in theſe two points, by the moſt *ſtudious precaution*.

Upon that of *taxation*, every law, which, by the remoteſt conſtruction, may be deemed to levy money upon the property of the ſubject, *muſt originate*, that is, muſt firſt be propoſed and aſſented to, *in the Houſe of Commons:* by which regulation, accompanying the weight which that aſſembly poſſeſſes in all its functions,

the levying of taxes is almoſt excluſively reſerved to the popular part of the conſtitution, who, it is preſumed, *will not tax themſelves*, nor their *fellow ſubjects*, without being firſt convinced of the *neceſſity* of the aids which they grant.

The application alſo of the public ſupplies is watched with the ſame circumſpection as the aſſeſſment.—Many taxes are annual; the produce of others is mortgaged, or appropriated to ſpecific ſervices; *the expenditure of all of them is accounted for in the Houſe of Commons*; as computations of the charge or the purpoſe for which they are wanted are previouſly ſubmitted to the ſame tribunal.

In the infliction of *puniſhment*, the power of the crown, and of the magiſtrate appointed by the crown, is confirmed by the moſt preciſe limitations: *the guilt of the offender muſt be pronounced by twelve men of his own order, indifferently choſen out of the county where the offence was committed: the puniſhment, or the limits to which the puniſhment may be extended, are aſcertained and affixed to the crime, by laws which know not the perſon of the criminal.*

And whereas, arbitrary or clandeſtine *confinement* is the *injury* moſt to be *dreaded* from the ſtrong hand of the

the executive government, becauſe it deprives the priſoner at once of protection and defence, and delivers him into the power, and to the malicious or intereſted deſigns of his enemies; *the conſtitution has provided againſt this danger with extreme ſolicitude.*—The ancient writ of habeas corpus, the habeas corpus act of Charles the Second, and the practice and determinations of our ſovereign courts of juſtice founded upon theſe laws, afford a *complete remedy* for every conceivable caſe of *illegal* impriſonment [a].

[a] Upon complaint in writing by, or on behalf of, any perſon in confinement, to any of the four courts of Weſtminſter Hall, in term time, or to the Lord Chancellor, or one of the Judges, in the vacation; and upon a probable reaſon being ſuggeſted to queſtion the legality of the detention, a writ is iſſued, to the perſon in whoſe cuſtody the complainant is alledged to be, commanding him within a certain limited and ſhort time to produce the body of the priſoner, and the authority under which he is detained.—Upon the return of the writ, ſtrict and inſtantaneous obedience to which is enforced by very ſevere penalties, if no lawful cauſe of impriſonment appear, the court or judge, before whom the priſoner is brought, is authorized and *bound to diſcharge him*; *even though he may have been committed by a ſecretary, or other high officer of ſtate, by the privy council, or by the King in perſon:* ſo that *no ſubject* of this realm can be held in *confinement*, by *any* power, or under *any* pretence whatever, provided he can find means to convey his complaint to one of the four courts of Weſtminſter Hall, or during their receſs to any of the Judges of the ſame, unleſs all theſe ſeveral tribunals agree in determining his impriſonment to be legal.—*He may make application to them, in ſucceſſion; and if one out of the number be found, who thinks the priſoner entitled to his liberty, that one poſſeſſes authority to reſtore it to him.*

Treaſon being that charge, under colour of which the deſtruction of an obnoxious individual is often ſought; and government being at all times more immediately a party in the proſecution; the law, beſide the general care with which it watches over the ſafety of the accuſed, in this caſe, ſenſible of the unequal conteſt in which the ſubject is engaged, has aſſiſted his defence with extraordinary indulgencies.—*By two ſtatutes, enacted ſince the revolution, every perſon indicted for high treaſon ſhall have a copy of his indictment, a liſt of the witneſſes to be produced, and of the jury impannelled, delivered to him ten days before the trial; he is alſo permitted to make his defence by counſel*; privileges which are not allowed to the priſoner in a trial for any other crime: and what is of more importance to the party than all the reſt, *the teſtimony of two witneſſes*, at leaſt, *is required* to *convict* a perſon of *treaſon*; whereas, one poſitive witneſs is ſufficient in almoſt every other ſpecies of accuſation.

We proceed, in the ſecond place, to enquire in what manner the *conſtitution* has provided for its own PRESERVATION; that is, in what manner each part of the *legiſlature is ſecured* in the exerciſe of the powers aſſigned to it, from the *encroachment* of the other parts.—This ſecurity is ſometimes called the *balance of the conſtitution*; and the political

political equilibrium, which this phraſe denotes, conſiſts in two contrivances,—A BALANCE OF POWER, and A BALANCE OF INTEREST.—By *a balance of power* is meant, that there is no power poſſeſſed by *one* part of the legiſlature, the *abuſe* or *exceſs* of which is not *checked* by ſome *antagoniſt power* reſiding in *another* part.—Thus the *power* of the *two houſes* of parliament to frame laws is *checked* by the *King's negative*; that if laws ſubverſive of real government ſhould obtain the conſent of parliament, the reigning prince, by interpoſing his prerogative, may ſave the neceſſary rights and authority of his ſtation.—On the other hand, the *arbitrary application* of this *negative* is *checked* by the privilege which parliament poſſeſſes, of *refuſing ſupplies of money* to the exigencies of the King's adminiſtration.—The conſtitutional maxim, *that the King can do no wrong*, is *balanced* by another maxim, not leſs conſtitutional, *that the illegal commands of the King do not juſtify thoſe who aſſiſt or concur in carrying them into execution*; and by a ſecond rule, ſubſidiary to this, *that the acts of the crown acquire not any legal force, until authenticated by the ſubſcription of ſome of its great officers*.—The wiſdom of this contrivance is worthy of obſervation.—As the King could not be puniſhed, without a civil war, the conſti-

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tution exempts his perſon from trial or account; but, leſt this impunity ſhould encourage a licentious exerciſe of dominion, *various obſtacles* are oppoſed to the private will of the ſovereign, when directed to illegal objects.—*The pleaſure of the crown muſt be announced with certain ſolemnities, and attended by certain officers of ſtate.*—In ſome caſes, the *royal order* muſt be *ſignified* by a *ſecretary of ſtate*; in others, it muſt paſs under the *privy ſeal*, and in many, under the *great ſeal.*—And when the King's command is regularly publiſhed, *no miſchief can be achieved by it*, without *the miniſtry* and *compliance of thoſe* to whom it is directed.—*Now all who either concur in an illegal order, by authenticating its publication with their ſeal or ſubſcription, or who in any manner aſſiſt in carrying it into execution, ſubject themſelves to proſecution and puniſhment, for the part they have taken; and are not permitted to plead or produce the command of the King, in juſtification of their obedience.*—But farther; the *power* of the *crown to direct the military force* of the kingdom, is *balanced* by the annual neceſſity of reſorting to parliament for the maintenance and government of that force.—The *power of the King to declare war* is *checked* by the privilege of the houſe of commons to grant or withhold the ſupplies by which the war muſt be carried

on.—The *King's choice* of his miniſters is *controlled* by the obligation he is under of appointing thoſe men to offices in the ſtate, who are found capable of managing the affairs of his government with the two houſes of parliament.—Which conſideration impoſes ſuch a neceſſity upon the crown, as hath in a great meaſure ſubdued the idea of favouritiſm; inſomuch, that it is become no uncommon ſpectacle in this country, to ſee men promoted by the King to the higheſt offices, and richeſt preferments, which he has in his power to beſtow, who have been diſtinguiſhed by their oppoſition to his perſonal inclinations.

By the *balance of intereſt*, which accompanies and gives efficacy to the *balance of power*, is meant this, that the *reſpective intereſts* of the *three* eſtates of the empire are *ſo diſpoſed* and *adjuſted*, that whichever of the *three* ſhall attempt any *encroachment*, the other *two* will unite in reſiſting it.—If the *King* ſhould endeavour to extend his authority, by contracting the power and privileges of the *commons*, the *houſe of lords* would ſee their own dignity endangered by every advance which the crown made to independency upon the reſolutions of parliament.—The admiſſion of arbitrary power is no leſs formidable to the grandeur of the ariſtocracy, than it is fatal to the liberty

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of the republic; that is, it would reduce the nobility from the hereditary ſhare they poſſeſs in the national councils, in which their real greatneſs conſiſts, to the being made a part of the empty pageantry of a deſpotic court.—On the other hand, if the *houſe of commons* ſhould intrench upon the diſtinct province, or uſurp the eſtabliſhed prerogative of the *crown*, the *houſe of lords* would receive an inſtant alarm from every new ſtretch of popular power.—In every conteſt in which the *King* may be engaged with the *repreſentative body*, in defence of his eſtabliſhed ſhare of authority, he will find a ſure ally in the collective power of the *nobility*.—An attachment to the monarchy, from which they derive their own diſtinction; the allurements of a court, in the habits and with the ſentiments of which they have been brought up; their hatred of equality, and of all levelling pretenſions, which may ultimately affect the privileges, or even the exiſtence of their order; in ſhort, every principle and every prejudice which are wont to actuate human conduct, will determine their choice, to the ſide and ſupport of the crown.—Laſtly, if the *nobles* themſelves ſhould attempt to revive the ſuperiorities, which their anceſtors exerciſed under the feudal conſtitution, the *King* and the *people* would alike remember, how the

the one had been inſulted, and the other enſlaved, by that barbarous tyranny.—They would forget the natural oppoſition of their views and inclinations, when they ſaw themſelves threatened with the return of a *domination*, which was *odious and intolerable to both* [a].

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[a] The reader will have obſerved, that in deſcribing the *Britiſh conſtitution* little notice has been taken of the *houſe of lords*.—The proper uſe and deſign of this part of the conſtitution are the following: Firſt, to *enable the King, by his right of beſtowing the peerage, to reward the ſervants of the public in a manner moſt grateful to them, and at a ſmall expence to the nation*; ſecondly, *to fortify the power and to ſecure the ſtability* of *regal government, by an order of men naturally allied to its intereſts*; and, thirdly, *to anſwer a purpoſe, which though of ſuperior importance to the other two, does not occur ſo readily to our obſervation*; *namely, to ſtem the progreſs of popular fury*.—Large bodies of men are ſubject to *ſudden phrenſies*.—Opinions are ſometimes circulated amongſt a multitude without *proof or examination*, acquiring *confidence* and *reputation merely by being repeated from one to another*; and *paſſions* founded upon theſe opinions *diffuſing* themſelves with a *rapidity* which can neither be *accounted for nor reſiſted, may agitate a country with the moſt violent commotions*.—Now the *only way* to ſtop the *fermentation* is to *divide the maſs*; that is to erect different orders in the community, with *ſeparate prejudices and intereſts*.—And this may occaſionally become the *uſe* of an *hereditary nobility*, inveſted with a ſhare of legiſlation.—*Averſe to thoſe prejudices which actuate the minds of the vulgar*; *accuſtomed to condemn the clamour of the populace*; *diſdaining to receive laws and opinions* from their *inferiors in rank*, they will *oppoſe reſolutions* which are *founded* in the *folly and violence of the lower part of the community*.—Was the *voice* of the people always dictated by *reflection*; did *every man*, or even one man in a hundred, *think for himſelf*, or *actually conſider the meaſure he was about to approve or cenſure*; or even were the *common people* tolerably *ſteadfaſt* in the judgment which they formed, I ſhould hold the *interference* of a ſuperior order, not only *ſuperfluous*, but *wrong*: for, when every thing is allowed to difference of rank and education, which the

There is nothing, in the Britiſh conſtitution, ſo remarkable, as the *irregularity of the* POPULAR REPRESENTATION.—The *houſe of commons* conſiſts of *five hundred* and *forty-eight* members, of whom *two hundred* are elected by *ſeven thouſand conſtituents:* ſo that a majority

actual ſtate of theſe advantages deſerves, that, after all, is moſt likely to be right and expedient, which appears to be ſo to the ſeparate judgment and deciſion of a great majority of the nation; at leaſt, that, in general, *is right for them*, which is *agreeable* to their *fixed opinions and deſires.*—But when we obſerve *what is urged as the public opinion*, to be, in truth, the *opinion only*, or perhaps the *feigned profeſſions* of a *few crafty leaders*; that the *numbers* who *join* in the *cry*, ſerve only to ſwell and multiply the ſound, without any acceſſion of judgment, or exerciſe of underſtanding; and that oftentimes the *wiſeſt councils* have been thus *overborne* by *tumult* and *uproar*,—we may conceive occaſions to ariſe, in which the *commonwealth may be ſaved* by the *reluctance* of the nobility to adopt the caprices, or to yield to the vehemence of the common people.—In expecting this advantage from an order of nobles, we do not ſuppoſe the nobility to be more unprejudiced than others; we only ſuppoſe that their *prejudices will be different from*, and may occaſionally *counteract*, *thoſe of others.*

The *admiſſion* of *a ſmall number of eccleſiaſtics* into the *houſe of lords* is but an *equitable compenſation* to the clergy for the *excluſion* of their order from the houſe of commons.—They are a ſet of men conſiderable by their number and property, as well as by their influence, and the duties of their ſtation; yet, whilſt every other profeſſion has thoſe amongſt the national repreſentatives, who, being converſant in the ſame occupation, are able to ſtate, and naturally diſpoſed to ſupport, the rights and intereſts of the claſs to which they belong, the clergy alone are deprived of this advantage.—Which hardſhip is made up to them by introducing the prelacy into parliament; *and if biſhops, from gratitude or expectation, be more obſequious to the will of the crown, than thoſe who poſſeſs great temporal inheritances, they are properly inſerted into that part of the conſtitution, from which much or frequent reſiſtance to the meaſures of government is not expected.*

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of theſe ſeven thouſand, without any reaſonable title to ſuperior weight or influence in the ſtate, may, under certain circumſtances, decide a queſtion againſt the opinion of as many millions.—*Or*, to place the ſame object in another point of view; if my eſtate be ſituated in one county of the kingdom, I poſſeſs the ten thouſandth part of a ſingle repreſentative; if in another, the thouſandth; if in a particular diſtrict, I may be one in twenty who chooſe two repreſentatives; if in a ſtill more favoured ſpot, I may enjoy the right of appointing two myſelf.—If I have been born, or dwell, or have ſerved an apprenticeſhip in one town, I am repreſented in the national aſſembly by two deputies, in the choice of whom I exerciſe an actual and ſenſible ſhare of power; if accident has thrown my birth, or habitation, or ſervice, into another town, I have no repreſentative at all, nor more power or concern in the election of thoſe who make the laws, by which I am governed, than if I was a ſubject of the Grand Signior—and this partiality ſubſiſts without any pretence whatever of merit or of propriety, to juſtify the preference of one place to another.—*Or*, thirdly, to deſcribe the ſtate of national repreſentation as it exiſts in reality, it may be affirmed, I believe, with truth, that about one half of the houſe

of commons obtain their ſeats in that aſſembly by the election of the people, the other half by purchaſe, or by the nomination of ſingle proprietors of great eſtates.

This is a flagrant *incongruity* in the conſtitution; but it is one of thoſe *objections* which *ſtrike moſt forcibly at firſt*.—The *effect* of *all reaſoning* upon the ſubject will *diminiſh* the firſt impreſſion: on which account it deſerves the more attentive examination, that we may be aſſured, before we *adventure* upon a *reformation*, that the MAGNITUDE OF THE EVIL JUSTIFIES THE DANGER OF THE EXPERIMENT.

In the few remarks that follow, we would be underſtood, in the firſt place, to *decline all conference* with thoſe who wiſh to *alter the form of government of theſe kingdoms*.—The reformers with whom we have to do, are they, who, while they *change* this part of the ſyſtem, would *retain the reſt*.—If any Engliſhman expect more happineſs to his country under a *republic*, he may very *conſiſtently* recommend a new modelling of elections to parliament; becauſe, *if the king and houſe of lords were laid aſide*, the preſent diſproportionate repreſentation would produce nothing but a *confuſed and ill-digeſted oligarchy*.—In like manner we wave a controverſy

verſy with thoſe writers who inſiſt upon repreſentation as a *natural* right[a]: we conſider it ſo far only as *a right at all*, as it conduces to PUBLIC UTILITY; that is, *as it contributes to the eſtabliſhment of good laws, or as it ſecures to the people the juſt adminiſtration of theſe laws.*—Theſe *effects* depend upon the *diſpoſition* and *abilities* of the *national counſellors.*—Wherefore, if *men the moſt likely by their qualifications to know and to promote the public intereſt be actually returned to parliament, it ſignifies little who return them.*—If the *propereſt perſons* be *elected*, what matters it *by whom* they are elected?—*At leaſt, no prudent ſtateſman would ſubvert long eſtabliſhed or even ſettled rules of repreſentation, without a proſpect of procuring wiſer or better repreſentatives.*

This then being well obſerved, let us, before we ſeek to obtain any thing more, conſider duly what we *already have.*—We *have* a houſe of commons compoſed of *five hundred and forty-eight members*, in which number are found the moſt CONSIDERABLE LANDHOLDERS

[a] If this right be *natural*, no doubt it muſt be equal, and the right, we may add, of one ſex, as well as of the other.—Whereas every plan of repreſentation we have heard of begins by excluding the votes of women: thus cutting off, at a ſingle ſtroke, *one half* of the public from a right which is aſſerted to be inherent in *all*; a right too, as ſome repreſent it, not only univerſal, but unalienable and indefeaſible.

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and MERCHANTS of the kingdom; the HEADS of the ARMY, the NAVY, and the LAW; the OCCUPIERS of GREAT OFFICES IN THE STATE; together with MANY PRIVATE INDIVIDUALS, eminent by their knowledge, eloquence, or activity.—Now, if the *country* be not *ſafe* in *ſuch hands*, in *whoſe* may it *confide its intereſts?*—If *ſuch* a number of *ſuch* men be *liable* to the *influence* of *corrupt motives*, what aſſembly of *men* will be *ſecure* from the *ſame danger?*—Does any *new ſcheme of repreſentation promiſe* to *collect* together *more* wiſdom, or to produce *firmer integrity?*

In this view of the ſubject, and attending not to ideas of *order* and *proportion* (of which many minds are much enamoured), but to *effects alone*, we may diſcover *juſt excuſes* for thoſe parts of the preſent repreſentation which appear to a *haſty obſerver moſt exceptionable and abſurd.*

It ſhould be remembered as a maxim extremely applicable to this ſubject, that no order or aſſembly of men whatever can long maintain their place and authority in a *mixed government*, of which the members do not individually poſſeſs a reſpectable ſhare of perſonal importance.—Now, whatever may be the *defects* of the preſent arrangement, it *infallibly ſecures a great weight of property to the houſe of commons*, by rendering *many ſeats* in

in *that houſe acceſſible to men* of *large fortunes*, and to *ſuch men alone*.—By which means thoſe characters are engaged in the defence of the ſeparate rights and intereſts of this branch of the legiſlature, that are beſt able to ſupport its claims.—The conſtitution of moſt of the ſmall boroughs, eſpecially the burgage tenure, contributes, though undeſignedly, to the ſame effect; for the appointment of the repreſentatives we find commonly annexed to certain great inheritances.—*Elections purely popular* are in this reſpect *uncertain:* in times of *tranquillity*, the *natural aſcendancy of wealth will prevail*; but when the *minds of men* are *inflamed* by political diſſenſions, *this influence* often *yields to more impetuous motives.*

The *variety* of *tenures* and *qualifications*, upon which the right of voting is founded, appears to me a recommendation of the mode which now ſubſiſts, as it tends to introduce into parliament a correſponding *mixture of characters and profeſſions*.—It has been long obſerved that *conſpicuous abilities are moſt frequently found with the repreſentatives of ſmall boroughs*.—And this is nothing more than what the laws of human conduct might teach us to expect: when ſuch boroughs are ſet to ſale, thoſe men are likely to become purchaſers who are able to make the beſt diſplay of their talents: and when

when a ſeat is not ſold, but *given* by the opulent proprietor of a burgage tenure, the patron finds his own intereſt conſulted, by the reputation and abilities of the member whom he nominates.

If certain of the nobility hold the *appointment* of *ſome part* of the houſe of commons, it ſerves to *maintain that alliance* between the *two branches of the legiſlature*, which *no good citizen* would *wiſh to ſee diſſevered:* it helps to keep the *government* of the country in *the houſe of commons*, in which, it would not perhaps long continue to reſide, if ſo *powerful* and *wealthy* a part of the nation as the peerage compoſe, were *excluded from all ſhare and intereſt in its conſtitution.*

If there be a *few* boroughs ſo circumſtanced as to lie at the *diſpoſal* of the *crown*, whilſt the number of ſuch is *known* and *ſmall*, they may be *tolerated with little danger.*—For where would be the impropriety, or the inconveniency, if the king at once ſhould nominate a *limited number* of his ſervants to ſeats in parliament; or, what is the ſame thing, if ſeats in parliament were annexed to the poſſeſſion of certain of the moſt efficient and reſponſible offices in the ſtate?

The preſent repreſentation, after all theſe deductions, and under the confuſion in which it confeſſedly lies, is

ſtill in ſuch a degree *popular*; or rather the *repreſentatives are ſo connected with the maſs of the community*, by a *ſociety* of *intereſts* and *paſſions*, that the *will of the people*, when it is determined, permanent, and general, almoſt always at length prevails.

UPON THE WHOLE, IN THE SEVERAL PLANS WHICH HAVE BEEN SUGGESTED, OF AN EQUAL OR A REFORMED REPRESENTATION, IT WILL BE DIFFICULT TO DISCOVER ANY PROPOSAL THAT HAS A TENDENCY TO THROW MORE OF THE BUSINESS OF THE NATION INTO THE HOUSE OF COMMONS, OR TO COLLECT A SET OF MEN MORE FIT TO TRANSACT THAT BUSINESS, OR IN GENERAL MORE INTERESTED IN THE NATIONAL HAPPINESS AND PROSPERITY.

One conſequence, however, may be *expected* from *theſe projects*, namely, "*leſs flexibility to the* INFLUENCE OF THE CROWN."—And ſince the *diminution of this influence*, is the *ſecret*, and perhaps the *ſole deſign* of the various ſchemes that have been produced, whether for *regulating the elections*, *contracting the duration*, or for *purifying* the *conſtitution of parliament* by the *excluſion of placemen and penſioners*; it is obvious to remark, that the more *apt* and *natural*, as well as the more *ſafe*

and *quiet way* of attaining the *ſame end*, would be by a *direct reduction* of the *patronage of the crown*, which might be effected to a *certain extent* without *hazarding farther conſequences*.—Superfluous and exorbitant emoluments of office may not only be *ſuppreſſed* for the preſent; but proviſions of law be deviſed, which ſhould for the future reſtrain within certain limits, the *number* and *value* of the offices in the *donation of the king*.

But whilſt we diſpute concerning *different* ſchemes of *reformation*, all directed to the *ſame end*, a previous *doubt* occurs in the debate, whether the *end itſelf be good, or ſafe—whether the influence ſo loudly complained of can be deſtroyed, or even much diminiſhed, without danger to the ſtate.*

Whilſt the *zeal* of ſome men beholds *this influence* with a *jealouſy*, which nothing but its *entire abolition* can appeaſe, many *wiſe* and *virtuous politicians* deem a *conſiderable portion of it* to be as *neceſſary a part of the Britiſh conſtitution*, as any *other ingredient* in the *compoſition*—to be that, indeed, which gives coheſion and ſolidity to the whole.—Were the *meaſures of government*, ſay they, *oppoſed* from *nothing but principle*, government ought to have *nothing* but the *rectitude of its meaſures* to *ſupport them*; but ſince *oppoſition* ſprings

from *other motives*, government muſt poſſeſs an *influence* to *counteract theſe motives*; to produce, not a *bias* of the paſſions, but a *neutrality:* it muſt have *ſome weight* to caſt into the ſcale to ſet the balance even.

It is the nature of ambition always to preſs upon the boundaries which confine it.—LICENTIOUSNESS, FACTION, ENVY, IMPATIENCE OF CONTROL OR INFERIORITY; THE SECRET PLEASURE OF MORTIFYING THE GREAT, OR THE HOPE OF DISPOSSESSING THEM; A CONSTANT WILLINGNESS TO QUESTION AND THWART WHATEVER IS DICTATED OR EVEN PROPOSED BY ANOTHER; A DISPOSITION COMMON TO ALL BODIES OF MEN TO EXTEND THE CLAIMS AND AUTHORITY OF THEIR ORDER; ABOVE ALL, THAT LOVE OF POWER AND OF SHOWING IT, WHICH RESIDES MORE OR LESS IN EVERY HUMAN BREAST, AND WHICH, IN POPULAR ASSEMBLIES, IS INFLAMED, LIKE EVERY OTHER PASSION, BY COMMUNICATION AND ENCOURAGEMENT: theſe motives, added to *private* deſigns and reſentments, *cheriſhed* alſo by popular acclamation, and operating upon the great ſhare of power already poſſeſſed by the houſe of commons, might *induce a majority*, or at leaſt a *large party* of men in that aſſembly, to *unite* in endeavouring to

draw to themſelves the *whole government of the ſtate*; or at leaſt ſo to *obſtruct* the *conduct of public affairs*, by a *wanton* and *perverſe oppoſition*, as to render it *impoſſible* for the *wiſeſt* ſtateſman to *carry forwards the buſineſs of the nation with ſucceſs or ſatisfaction*.

Some paſſages of *our national hiſtory* afford *grounds* for *theſe apprehenſions*.—Before the acceſſion of James the Firſt, or, at leaſt, during the reigns of his three immediate predeceſſors, the government of England was a government by force; that is, the king carried his meaſures in parliament by INTIMIDATION.—A ſenſe of perſonal danger kept the members of the houſe of commons in ſubjection.—A conjunction of fortunate cauſes delivered at laſt the parliament and nation from ſlavery.—That overbearing ſyſtem, which had declined in the hands of James, expired early in the reign of his ſon.—After the reſtoration there ſucceeded in its place, and ſince the revolution has been methodically purſued, the more ſucceſsful expedient of INFLUENCE.—Now we remember what paſſed *between* the *loſs* of *terror*, and the *eſtabliſhment* of *influence*.—THE TRANSACTIONS OF THAT INTERVAL, WHATEVER WE MAY THINK OF THEIR OCCASION OR EFFECT, NO FRIEND OF REGAL GOVERNMENT WOULD WISH TO SEE REVIVED.

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But the affairs of this kingdom afford a more recent atteſtation to the ſame doctrine.—In the Britiſh colonies of NORTH AMERICA, the late aſſemblies poſſeſſed much of the power and conſtitution of *our houſe of commons*.—The king and government of Great Britain held *no patronage* in the country, which could create *attachment* and *influence* ſufficient to *counteract* that *reſtleſs*, *arrogating ſpirit*, which in *popular aſſemblies*, when *left to itſelf*, will never *brook an authority*, that *checks* and *interferes with its own*.—To this cauſe, excited perhaps by ſome *unſeaſonable provocations*, we may attribute, as to their *true* and *proper original*, we will not ſay the *misfortunes*, but the *changes* that have taken place in the Britiſh empire.—The *admonition*, which ſuch examples ſuggeſt, will have its weight with *thoſe*, who are *content* with the *general frame of the Engliſh conſtitution*; and who conſider *ſtability* amongſt the *firſt perfections* of any government.

We *proteſt* however againſt any conſtruction, by which what is here ſaid ſhall be attempted to be applied to the *juſtification of* BRIBERY, or of any *clandeſtine reward* or *ſolicitation* whatever.—*The very ſecrecy of ſuch negociations confeſſes or begets a conſciouſneſs of guilt*; *which when the mind is once taught to endure without uneaſineſs*,

the

the character is prepared for every compliance.—And there is the greater danger in theſe corrupt practices, as the *extent* of their operation is *unlimited* and *unknown.*—Our apology relates ſolely to *that influence*, which reſults from the *acceptance* or *expectation of public preferments.*

In political, above all other ſubjects, the arguments, or rather the conjectures on each ſide of a queſtion, are often ſo equally poized, that the *wiſeſt judgments* may be held in ſuſpenſe.—*Theſe I call ſubjects of* INDIFFERENCE.—But again, when the ſubject is not *indifferent in itſelf*, it will appear ſuch to a great part of thoſe to whom it is propoſed, for want of information, or reflection, or experience, or of capacity to collect and weigh the reaſons by which either ſide is ſupported.—*Theſe are ſubjects of* APPARENT INDIFFERENCE.—This indifference occurs ſtill more frequently in *perſonal conteſts*; in which we do not often diſcover any reaſon of public utility, for the *preference* of one competitor to another.—*Theſe caſes compoſe the province of influence*; that is, *the deciſion in theſe caſes will inevitably be determined by influence of ſome ſort or other.*—The *only doubt is*, what *influence* ſhall be *admitted.*—If you remove the influence of the *crown*, it is only to make way for *in-*

fluence

fluence from a different quarter.—If motives of *expectation* and *gratitude* be withdrawn, other *motives* will ſucceed in their place, acting probably in an *oppoſite direction*, but equally irrelative and external to the proper merits of the queſtion.—There exiſt, as we have ſeen, *paſſions* in the *human heart*, which will always make a *ſtrong party* againſt the *executive power* of a mixed government.—According as the diſpoſition of parliament is *friendly* or *adverſe* to the recommendation of the crown in matters which are *really* or *apparently indifferent*, as indifference hath been now explained, the buſineſs of empire will be tranſacted with *eaſe* and convenience, or *embarraſſed* with *endleſs contention and difficulty*.—Nor is it a *concluſion founded* in *juſtice* or *warranted* by *experience*, that, becauſe men are induced by views of intereſt to *yield their conſent to meaſures*, concerning which their *judgment decides nothing*, they may be brought by the *ſame influence*, to act in *deliberate oppoſition to knowledge and duty*.

Whoever reviews the operations of government in this country ſince the revolution, will find *few* even of the moſt queſtionable meaſures of adminiſtration, about which the *beſt inſtructed judgment* might not have doubted at the time; but of which he may affirm with certainty,

certainty, *that they were indifferent to the greateſt part of thoſe who concurred in them.*—From the ſucceſs or the facility, with which they who dealt out the patronage of the crown carried meaſures like theſe, *we ought not to conclude*, that a *ſimilar application of honours and emoluments would procure the conſent of parliament to councils evidently detrimental to the common welfare.*

Is there not, on the contrary, more reaſon to fear, that the prerogative, if deprived of influence, would not be long able to ſupport itſelf?—For when we reflect upon the power of the houſe of commons to extort a compliance with its reſolutions from the other parts of the legiſlature; or to put to death the conſtitution by a refuſal of the annual grants of money, to the ſupport of the neceſſary functions of government—when we reflect alſo, what *motives* there are, which in the viciſſitudes of political intereſts and paſſions, may one day arm and point this power againſt the executive magiſtrate—when we attend to theſe conſiderations, we ſhall be led perhaps to acknowledge, that there is not more of paradox than of truth, in that important but much decried apophthegm,—"*that an independent parliament is incompatible with the exiſtence of the monarchy.*"

SECT.

SECT. XVIII.

THE DECLARATION OF OUR RIGHTS.

LIBERTY denotes a ſtate of *freedom*, in contradiſtinction to *ſlavery* or *reſtraint*; and may be conſidered as either *natural* or *civil*.

The *abſolute rights* of man, conſidered as a free agent, endowed with diſcernment to know good from evil, and with power of chooſing thoſe meaſures which appear to him to be moſt deſirable, are uſually ſummed up in one general appellation, and denominated the *natural liberty of mankind*.—This *natural liberty* conſiſts properly in a power of acting as one thinks fit, without any reſtraint or controul, unleſs by the law of nature; being a right inherent in us by birth, and one of the gifts of God to man at his creation, when he endued him with the faculty of free-will.—But every man, when he enters *into ſociety*, gives up *a part of his natural liberty*, as the *price* of ſo *valuable a purchaſe*; and, in conſideration of receiving the advantages of mutual commerce, ob-

liges himſelf to conform to thoſe laws which the community has thought proper to eſtabliſh. — And this ſpecies of *legal obedience* and conformity is infinitely more *deſirable* than that *wild* and *ſavage liberty* which *is ſacrificed* to obtain it.—*For no man, that conſiders a moment, would wiſh to retain the abſolute and uncontrouled power of doing whatever he pleaſes; the conſequence of which is that every other man would alſo have the ſame power; and then there would be no ſecurity to individuals in any of the enjoyments of life* [a].

Political,

a The poets in deſcribing the ſtate of nature have painted the golden age or the reign of SATURN. The ſeaſons, in that firſt period were ſo temperate, if we credit theſe agreeable fictions, that there was no neceſſity for men to provide themſelves with cloaths and houſes, as a ſecurity againſt the violence of heat and cold: the rivers flowed with wine and milk: the oaks yielded honey; and nature ſpontaneouſly produced her greateſt delicacies. Nor were theſe the chief advantages of that happy age. Tempeſts were not alone removed from nature; but thoſe more furious tempeſts were unknown to human breaſts, which now cauſe ſuch uproar, and engender ſuch confuſion. Avarice, ambition, cruelty, ſelfiſhneſs, were never heard of: cordial affection, compaſſion, ſympathy, were the only movements with which the mind was yet acquainted. Even the punctilious diſtinction of *mine* and *thine* was baniſhed from among that happy race of mortals, and carried with it the very notion of property and obligation, juſtice and injuſtice.

It ſeems evident, that, in ſuch a happy ſtate, every other ſocial virtue would flouriſh, and receive tenfold increaſe; but the cautious, jealous virtue of juſtice would never once have been dreamed of. *For what purpoſe make a partition of goods, where every one has already more than enough? Why give riſe to property, where there cannot poſſibly be any injury?* Why call this object

Political, therefore, or *civil*, *liberty*, which is that of a member of ſociety, is no other than *natural liberty*, ſo far *reſtrained* by human laws (and no *farther*) as is neceſſary and expedient for the *general advantage* of the public.

Hence we may collect, that the law, which reſtrains a man from doing miſchief to his fellow citizens, though it diminiſhes the *natural*, increaſes the *civil liberty* of mankind: but every wanton and cauſeleſs reſtraint of the will of the ſubject, whether practiſed by a monarch, a nobility, or a popular aſſembly, *is a degree of tyranny*. —Nay, that even laws themſelves, whether made with or without our conſent, if they regulate and conſtrain our conduct in matters of mere indifference, without *any good end* in view, are laws deſtructive of liberty: whereas, if *any public advantage* can ariſe from obſerving ſuch precepts, the *controul* of our *private* inclinations, in *one* or *two particular points*, will conduce to preſerve our *general freedom* in others of more importance, by ſupporting that ſtate of ſociety which alone can ſecure our independence. — Thus the ſtatute of

ject *mine*, when, upon the ſeizing of it by another, I need but ſtretch out my hand to poſſeſs myſelf of what is equally valuable? Juſtice, in that caſe, being totally USELESS, would be an idle ceremonial, and could never poſſibly have place.

king EDWARD IV. which forbad the fine gentlemen of thoſe times (under the degree of a lord) to wear *pikes* upon their ſhoes or boots of *more* than *two inches in length*, was a law that ſavoured of oppreſſion; becauſe, however ridiculous the faſhion then in uſe might appear, the reſtraining it by pecuniary penalties could ſerve no purpoſe of common utility.—But the ſtatute of king CHARLES II. which preſcribes a thing ſeemingly as indifferent, viz. a dreſs for the dead, who were all ordered to be *buried in woollen*, is a law conſiſtent with public liberty; for it encourages the ſtaple trade, on which in great meaſure depends the univerſal good of the nation.

So that laws, when *prudently framed*, are by no means *ſubverſive*, but rather *introductive*, of *liberty*; for (as Mr. LOCKE has well obſerved) *where* there is *no law* there is *no freedom*.—But then, on the other hand, *that conſtitution or frame of government, that ſyſtem of laws*, is *alone* calculated to maintain *civil liberty*, which leaves the ſubject entire maſter of his own conduct, *except in thoſe points*, wherein the *public good* requires ſome direction or reſtraint.

THE IDEA AND PRACTICE OF THIS POLITICAL OR CIVIL LIBERTY FLOURISH IN THEIR HIGHEST VIGOUR

GOUR IN THESE KINGDOMS, WHERE IT FALLS LITTLE SHORT OF PERFECTION, AND CAN ONLY BE LOST OR DESTROYED BY THE FOLLY OR DEMERITS OF ITS OWNER; the *legiſlature*, and of courſe the *laws of Britain*, being peculiarly adapted to the *preſervation* of this *ineſtimable bleſſing* even in the *meaneſt ſubject*.

This ſpirit of liberty is ſo deeply implanted in our conſtitution, and rooted even in our very ſoil, that a ſlave or a negro, the moment he lands in BRITAIN, *falls under the protection of the laws, and becomes ſo far a freeman.*

Very different from the modern conſtitutions of other ſtates on the continent of Europe, and from the genius of the imperial law; which in general are calculated to veſt an arbitrary and deſpotic power, of controuling the actions of the ſubject, in the prince, or in a few grandees.

The ABSOLUTE RIGHTS *of every Briton* (which, taken in a political and extenſive ſenſe, are uſually called their *liberties*), as they are founded on nature and reaſon, ſo they are coeval with our form of government; though ſubject at times to *fluctuate* and *change*, their eſtabliſhment (excellent as it is) being ſtill *human*.—At ſome times we have ſeen them depreſſed *by overbearing and tyrannical princes*; at others, ſo luxuriant as even to

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tend to *anarchy*, *a worſe ſtate than tyranny itſelf*, as any government is better than none at all.—But the *vigour* of our *free conſtitution* has always delivered *the nation* from theſe embarraſſments: and, as ſoon as the convulſions conſequent on the ſtruggle have been over, the *balance* of our rights and liberties has ſettled to its *proper level*; and *their fundamental articles* have been from time to time *aſſerted in parliament*, as often as they were thought to be in danger:

Firſt, by the GREAT CHARTER OF LIBERTIES, which was obtained, ſword in hand, from King JOHN, and afterwards, with ſome alterations, confirmed in parliament by King HENRY III. his ſon.—Which charter contained very few new grants; but, as Sir Edward Coke obſerves, was for the moſt part declaratory of the principal grounds of the fundamental laws of England.

Afterwards, by the ſtatute called CONFIRMATIO CARTARUM, whereby the great charter is directed to be allowed as the common law; all judgments contrary to it are declared void; copies of it are ordered to be ſent to all cathedral churches, and read twice a year to the people; and ſentence of excommunication is directed to be as conſtantly denounced againſt all thoſe that

that by word, deed, or counſel, act contrary thereto, or in any degree infringe it.

Next by a multitude of ſubſequent corroborating ſtatutes (Sir Edward Coke reckons thirty-two), from the FIRST EDWARD to HENRY IV.

Then, after a long interval, by THE PETITION OF RIGHT; which was a *parliamentary declaration of the liberties of the people*, aſſented to by King CHARLES I. in the beginning of his reign.—Which was cloſely *followed* by the ſtill more ample conceſſions made by that unhappy prince to his parliament, before the fatal rupture between them; and by the many ſalutary laws, particularly the *habeas corpus* act, paſſed under CHARLES II.

To theſe *ſucceeded* THE BILL OF RIGHTS, or declaration delivered by the *lords* and *commons* to the PRINCE and PRINCESS of ORANGE, 13th of February, 1688; and *afterwards enacted in parliament*, when they became king and queen: which declaration concludes in theſe remarkable words: "*and they do claim, demand, and inſiſt upon, all and ſingular the premiſes, as their undoubted rights and liberties.*"—And the act of parliament itſelf recogniſes "*all and ſingular the rights and liberties aſſerted and claimed in the ſaid declaration to be the true,*

ancient, and indubitable rights of the people of this kingdom."

Laſtly, theſe liberties were again aſſerted at the commencement of the preſent century, in the ACT OF SETTLEMENT, whereby the crown was limited to his preſent Majeſty's illuſtrious houſe: and ſome new proviſions were added, at the ſame fortunate era, for better ſecuring our *religion*, *laws*, and *liberties*; which the ſtatute declares to be "*the birthright of the people of England*," according to the ancient doctrine of the common law.

Thus much for the *declaration* of our *rights* and *liberties*.—The *rights themſelves*, thus defined by theſe ſeveral ſtatutes, *conſiſt* in the number of *private immunities*; which will appear, from what has been premiſed, to be indeed no other, than either *that reſiduum* of *natural liberty*, *which is not required by the laws of ſociety to be ſacrificed to public convenience*; or elſe thoſe civil privileges, which ſociety hath engaged to provide, in *lieu* of the natural liberties ſo given up by individuals.

Theſe therefore were formerly, either by inheritance or purchaſe, the rights of all mankind; but, in moſt other countries of the world, being now more or leſs debaſed and deſtroyed, they at preſent may be ſaid to remain,

remain, in a peculiar and emphatical manner, THE RIGHTS OF THE PEOPLE OF BRITAIN.—And theſe may be reduced to *three* principal or primary articles; THE RIGHT OF PERSONAL SECURITY, THE RIGHT OF PERSONAL LIBERTY, AND THE RIGHT OF PRIVATE PROPERTY: becauſe, as there is no other known method of compulſion, or of abridging man's natural free-will, but by an infringement or diminution of one or other of theſe important rights, the preſervation of theſe inviolate may juſtly be ſaid to include the preſervation of our civil immunities in their largeſt and moſt extenſive ſenſe.

In vain, however, would theſe rights be declared, aſcertained, and protected by the *dead letter of the law*, if the conſtitution had provided *no other method* to ſecure their actual enjoyment.—It has therefore eſtabliſhed certain other *auxiliary ſubordinate rights* of the ſubject, which *ſerve* principally as barriers to *protect* and *maintain inviolate* the *three great* and *primary* rights, of *perſonal ſecurity*, *perſonal liberty*, and *private property*.—Theſe are,

1. THE CONSTITUTION, POWERS, AND PRIVILEGES OF PARLIAMENT.

2. THE LIMITATION OF THE KING'S PREROGATIVE, by bounds ſo certain and notorious, that it is impoſſible he ſhould exceed them without the conſent of the people.

The *former* of theſe keeps the *legiſlative power* in due *health and vigour*, ſo as to make it *improbable that laws ſhould be enacted deſtructive of general liberty:* the *latter* is a *guard* upon the *executive power*, by reſtraining it from acting either beyond or in contradiction to the laws that are framed and eſtabliſhed by the other.

3. A third ſubordinate right of every Briton is that of applying to the courts of juſtice for REDRESS OF INJURIES.

Since the *law* is, in this realm, *the ſupreme arbiter of every man's life, liberty, and property*, courts of juſtice muſt at all times be open to the ſubject, and the law be duly adminiſtered therein.—The emphatical words of *magna charta*, ſpoken in the perſon of the king, who in judgment of law (ſays SIR EDWARD COKE) is ever preſent and repeating them in all his courts, are theſe: *Nulli vendemus, nulli negabimus, aut differemus rectum vel juſtitiam* [a]; "and therefore every ſubject (continues the ſame learned author), for injury done to him *in*

[a] See the end of this paragraph.

bonis,

bonis, in terris, vel perſona [a], by any other ſubject, be he eccleſiaſtical or temporal, without any exception, may take his remedy by the courſe of the law, and have juſtice and right for the injury done to him, *freely without ſale, fully without any denial,* and *ſpeedily without delay.*"

It were endleſs to enumerate all the *affirmative* acts of parliament, wherein *juſtice* is directed to be done *according to the law of the land:* and what that law is, every ſubject knows, or may know if he pleaſes; for *it depends not upon the arbitrary will of any judge; but is permanent, fixed, and unchangeable, unleſs by authority of parliament* [b].

We ſhall however juſt mention a few *negative* ſtatutes, whereby abuſes, perverſions, or delays of juſtice, eſpecially by the *prerogative*, are reſtrained.—It is ordained by *magna charta*, that no freeman ſhall be outlawed, that is, put out of the protection and benefit of the laws, but according to the law of the land.—By 2 EDW. III. c. 8. and 11 RIC. II. c. 10. it is enacted, *that no commands or letters ſhall be ſent under the great*

[a] In goods, in lands, or in perſon.

[b] *Parliament knows not the individuals upon whom its acts will operate; it has no caſes or parties before it; no private deſigns to ſerve: conſequently its reſolutions* will be ſuggeſted by the conſideration of *univerſal effects and tendencies, which always produce impartial, and commonly advantageous regulations.*

ſeal, or the little ſeal, the ſignet or privy ſeal, in diſturbance of the law, or to diſturb or delay common right: and, though ſuch commandments ſhould come, the judges ſhall not ceaſe to do right: which is alſo made a part of their oath by ſtatute 18 EDW. III. ſt. 4.—And by 1 W. & M. ſt. 2. c. 2, it is declared, that the pretended power of ſuſpending or diſpenſing with laws, or the execution of laws, by regal authority without conſent of parliament, is illegal [a].

Not

[a] *To render the ſecurity of our rights ſtill more perfect the judges,* who, before the revolution, held their offices *during the pleaſure of the king,* can *now* only be *deprived of them* by an *addreſs from both houſes of parliament*; as the moſt *regular, ſolemn,* and *authentic way,* by which the *diſſatisfaction* of the *people* can be expreſſed.—To make *this independency of the judges complete,* the *public ſalaries* of their office are not only certain both in amount and continuance, *but ſo liberal as to ſecure their integrity from the temptation of ſecret bribes:* which *liberality* anſwers alſo the farther purpoſe of preſerving their *juriſdiction* from *contempt,* and their *characters* from *ſuſpicion*; as well as that of rendering the office *worthy of the ambition of men of eminence in their profeſſion.*

The number of the judges is alſo in this country ſmall.—For, beſide that the *violence* and *tumult* inſeparable from *large aſſemblies* are inconſiſtent with the *patience, method,* and *attention,* requiſite in judicial inveſtigations; beſide that *all paſſions* and *prejudices* act with *augmented force* upon a *collected multitude*; beſide theſe objections, *judges when they are numerous divide the ſhame of an unjuſt determination*; they ſhelter themſelves under one another's example; each man thinks his *own character hid* in the *crowd:* for which reaſon the judges ought always to be *ſo few,* as that *the conduct of each* may be conſpicuous to public obſervation; that *each* may be reſponſible in his ſeparate and particular reputation for the deciſions in which he concurs.

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Not only the ſubſtantial part, or judicial deciſions, of the law, but alſo the *formal part*, or *method of proceeding*, *cannot be altered but by parliament:* for, if once thoſe outworks were demoliſhed, there would be an inlet to all manner of innovation in the body of the law itſelf.—The king, it is true, may erect new courts of juſtice; but then they muſt proceed according to the old eſtabliſhed forms of the common law.—For which reaſon it is declared in the ſtatute of 16 CAR. I. c. 10,

The proceedings are alſo carried on *in public*; *apertis foribus*; not only before a *promiſcuous concourſe* of byſtanders, but *in the audience* of the *whole profeſſion of the law.*—The opinion of the bar concerning what paſſes will be *impartial*; and will commonly guide that of the public.—The *moſt corrupt judge* will *fear to indulge his diſhoneſt wiſhes* in the *preſence of ſuch an aſſembly:* he muſt encounter what few can ſupport, the *cenſure* of his *equals* and *companions*, together with the *indignation* and *reproaches of his country.*

The law of England, by its *circuit* or *itinerary courts*, contains an excellent proviſion for the diſtribution of private juſtice.—*As the preſiding magiſtrate comes into the country a ſtranger to its prejudices, rivalſhips, and connections, he brings with him none of thoſe attachments and regards, which are ſo apt to pervert the courſe of juſtice, when the parties and the judges inhabit the ſame neighbourhood.* Again, as *this magiſtrate* is uſually one of the judges of the ſupreme tribunals of the kingdom, and *has paſſed his life in the ſtudy and adminiſtration of the laws*, he poſſeſſes, it may be preſumed, thoſe profeſſional qualifications, which befit the dignity and importance of his ſtation. Laſtly, as both he, and the *advocates* who accompany him in his circuit, are employed in the buſineſs of thoſe *ſuperior courts* (to which alſo their proceedings are amenable), they will naturally conduct themſelves by the rules of adjudication, which they have applied, or learnt *there:* and by this means maintain, what conſtitutes a principal *perfection of civil government, one law of the land in every part and diſtrict of the empire.*

upon

upon the diſſolution of the court of ſtar-chamber, *that neither his majeſty, nor his privy council, have any juriſdiction, power, or authority, by Engliſh bill, petition, articles, libel* (which were the courſe of proceeding in the ſtar-chamber, borrowed from the civil law), *or by any other arbitrary way whatſoever, to examine, or draw into queſtion, determine, or diſpoſe of the lands or goods of any ſubjects of this kingdom; but that the ſame ought to be tried and determined in the ordinary courts of juſtice, and by* COURSE OF LAW [a].

4. If there ſhould happen any uncommon injury, or infringement of the rights before mentioned, which the ordinary courſe of law is too deficient to reach, there ſtill remains a fourth ſubordinate right, appertaining to every individual, namely, THE RIGHT OF PETITION-

[a] *The conſtruction of Engliſh courts of law, in which cauſes are tried by a jury with the aſſiſtance of a judge, combines the two ſpecies together with peculiar ſucceſs. This admirable contrivance unites the wiſdom of a fixed with the integrity of a caſual judicature, and avoids, in a great meaſure, the inconveniencies of both. The judge imparts to the jury the benefit of his erudition and experience; the jury, by their diſintereſtedneſs, check any corrupt partialities which previous application may have produced in the judge.—If the determination was left to the judge, the party might ſuffer under the ſuperior intereſt of his adverſary: if it was left to an uninſtructed jury, his rights would be in ſtill greater danger from the ignorance of thoſe who were to decide upon them.—The preſent wiſe admixture of chance and choice in the conſtitution of the court, in which his cauſe is tried, guards him equally againſt the fear of injury from either of theſe cauſes.*

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ING the king, or either houſe of parliament, for the redreſs of grievances [a].

IN RUSSIA we are told, that the Czar Peter eſtabliſhed a law, that no ſubject might petition the throne till he had firſt petitioned two different miniſters of ſtate. In caſe he obtained juſtice from neither, he might then preſent a third petition to the prince; *but upon pain of*

[a] But, laſtly, if ſeveral courts co-ordinate to, and independent of each other, ſubſiſt together in the country, it ſeems neceſſary that the appeals from all of them ſhould meet and terminate in the ſame judicature; in order that one *ſupreme tribunal*, by whoſe final ſentence all others are bound and concluded, may ſuperintend and preſide over the reſt.—This conſtitution is neceſſary for two purpoſes—to preſerve an uniformity in the deciſions of inferior courts, and to maintain to each the proper limits of its juriſdiction.—Without a common ſuperior, different courts might eſtabliſh *contradictory rules* of adjudication, and the *contradiction* be *final* and *without remedy*; the *ſame queſtion* might receive *oppoſite determinations*, according as it was brought before one court or another, and the determination in each be ultimate and irreverſible.

A POLITICIAN, WHO SHOULD SIT DOWN TO DELINEATE A PLAN FOR THE DISPENSATION OF PUBLIC JUSTICE, GUARDED AGAINST ALL ACCESS TO INFLUENCE AND CORRUPTION, AND BRINGING TOGETHER THE SEPARATE ADVANTAGES OF KNOWLEDGE AND IMPARTIALITY, WOULD FIND, WHEN HE HAD DONE, THAT HE HAD BEEN TRANSCRIBING THE JUDICIAL CONSTITUTION OF ENGLAND. AND IT MAY TEACH THE MOST DISCONTENTED AMONGST US TO ACQUIESCE IN THE GOVERNMENT OF HIS COUNTRY, TO REFLECT, THAT THE PURE, AND WISE, AND EQUAL ADMINISTRATION OF THE LAWS, FORMS THE FIRST END AND BLESSING OF SOCIAL UNION; AND THAT THIS BLESSING IS ENJOYED BY HIM IN A PERFECTION, WHICH HE WILL SEEK IN VAIN, IN ANY OTHER NATION OF THE WORLD.

death,

death, if found to be in the wrong.—The conſequence of which was, that no one dared to offer ſuch third petition; and grievances ſeldom falling under the notice of the ſovereign, he had little opportunity to redreſs them.—The *reſtrictions*, for ſome there are, which are laid *upon petitioning* IN BRITAIN, are of a nature *extremely different*; and while they promote *the ſpirit of peace*, they are *no check* upon that of *liberty*.—Care only muſt be taken, leſt, under the pretence of petitioning, the ſubject be guilty of any riot or tumult; as happened in the opening of the memorable parliament in 1640; and, to prevent this, it is provided by the ſtatute 13 CAR. II. ſt. 1, c. 5, that *no petition* to the king, or either houſe of parliament, for any alteration in church or ſtate, *ſhall be ſigned by above twenty perſons*, unleſs the matter thereof be approved by three juſtices of the peace, or the major part of the grand jury, in the country; and in London, by the lord mayor, aldermen, and common-council; *nor ſhall any petition be preſented by more than ten perſons at a time*.—But under theſe regulations, it is declared by the ſtatute 1 W. & M. ſt. 2, c. 2, that the ſubject hath a *right to petition*; and that all commitments and proſecutions for ſuch petitioning are illegal.

5. The fifth and laſt auxiliary right of the ſubject, that we ſhall at preſent mention, is that OF HAVING ARMS FOR THEIR DEFENCE, ſuitable to their condition and degree, and ſuch as are allowed by law.—Which is alſo declared by the ſame ſtatute, 1 W. & M. ſt. 2, c. 2, and is indeed a public allowance, under due reſtrictions, of the natural right of reſiſtance and ſelf-preſervation, when the ſanctions of ſociety and laws are found inſufficient to reſtrain the violence of oppreſſion.

In theſe ſeveral articles conſiſt the *rights*, or, as they are frequently termed, *the liberties of Britons: liberties* more generally *talked of* than thoroughly *underſtood*; and yet highly *neceſſary* to be perfectly *known* and *conſidered* by every man of rank or property, leſt his *ignorance* of the points whereon they are founded ſhould hurry him into *faction* and *licentiouſneſs* on the one hand, or a *puſillanimous indifference* and *criminal ſubmiſſion* on the other.—And we have ſeen that theſe rights conſiſt, primarily, in the free enjoyment of PERSONAL SECURITY, of PERSONAL LIBERTY, and of PRIVATE PROPERTY.

So long as theſe remain inviolate, the ſubject is perfectly free; for every ſpecies of compulſive tyranny and op-

preſſion muſt act in oppoſition to one or other of theſe rights, having no other object upon which it can poſſibly be employed.

To preſerve theſe from violation, it is neceſſary that the conſtitution of parliaments be ſupported in its full vigour; and limits, certainly known, be ſet to the royal prerogative. —And laſtly, to vindicate theſe rights, when actually violated or attacked, the ſubjects of Britain are entitled, in the firſt place, *to the regular adminiſtration and free courſe of juſtice in the courts of law*; next, *to the right of petitioning the king and parliament for redreſs of grievances*; and laſtly, *to the right of having and uſing arms for ſelf-preſervation and defence.*

And all theſe *rights* and *liberties* it is our *birthright* to enjoy entire; unleſs where the laws of our country have laid them under *neceſſary* reſtraints; *reſtraints in themſelves ſo gentle and moderate, as will appear, upon farther inquiry, that no man of ſenſe or probity would wiſh to ſee them ſlackened.*—For all of us have it in our choice to do every thing that *a good man* would deſire to do; and are reſtrained from *nothing*, but what would be pernicious either to ourſelves or our fellow citizens.—So THAT THIS REVIEW OF OUR SITUATION MAY FULLY JUSTIFY THE OBSERVATION OF A LEARNED FRENCH

AUTHOR, WHO INDEED GENERALLY BOTH THOUGHT AND WROTE IN THE SPIRIT OF GENUINE FREEDOM; AND WHO HATH NOT SCRUPLED TO PROFESS, EVEN IN THE VERY BOSOM OF HIS NATIVE COUNTRY, THAT THE BRITISH IS THE ONLY NATION IN THE WORLD, WHERE POLITICAL OR CIVIL LIBERTY IS THE DIRECT END OF ITS CONSTITUTION [a].

[a] Blackſtone.

SECT. XIX.

ON THE LIBERTY OF THE PRESS.

THE *liberty of the preſs*, however, ſo eſſential to the nature of a free ſtate, conſiſts not in *freedom from cenſure* for any *criminal matter* that may be publiſhed, but in having *no previous reſtraints* laid upon publications.—*Every freeman has undoubtedly a right to lay what ſentiments he pleaſes before the public*; to forbid this, is to deſtroy the freedom of the preſs: but if he publiſhes what is *improper, miſchievous, or illegal, he muſt take the conſequence of his own temerity.*—To ſubject the preſs to the reſtrictive power of a *licenſer*, is to ſubject all freedom of ſentiment to the *prejudices* of *one man*, and make him the arbitrary and infallible judge of all controverted points in learning, religion, and government.—*But to puniſh (as the law does at preſent) any dangerous or offenſive writings which, when publiſhed, ſhall, on a fair and impartial trial, be adjudged of a pernicious tendency, is neceſſary for the preſervation of peace and good order, of*

government

government and religion, the only ſolid foundations of civil liberty.—Thus the *will* of individuals is ſtill left *free*; the *abuſe* only of that *free-will* is the object of legal puniſhment.—Neither is any reſtraint hereby laid upon freedom of thought or inquiry; liberty of private ſentiment is ſtill left; the diſſeminating or making public of *bad ſentiments*, deſtructive of the ends of ſociety, is the crime which ſociety corrects.—*A man (ſays a fine writer on this ſubject)* MAY BE ALLOWED TO KEEP POISONS IN HIS CLOSET, BUT NOT PUBLICLY TO VEND THEM AS CORDIALS.—And to this we may add, that the only plauſible argument heretofore uſed for reſtraining the *juſt freedom* of the preſs, "that it was neceſſary to prevent the daily abuſe of it," will intirely loſe its force, when it is ſhown (by a ſeaſonable exertion of the laws) that the preſs cannot be abuſed to any *bad purpoſe* without incurring a ſuitable puniſhment: whereas it can never be uſed to any *good one* when under the controul of an inſpector.—*So true will it be found, that to cenſure the licentiouſneſs, is to maintain the liberty of the preſs* [a].

[a] Blackſtone.

SECT.

SECT. XX.

ON POPULAR DISCONTENT.

THERE is inſeparably annexed to our very nature and conſtitution, a certain unaccountable *reſtleſſneſs* of mind, and thought, which makes us unſatisfied with what we at preſent poſſeſs and enjoy, and rave after ſomething paſt or to come, which ever troubles, and corrupts, the pleaſures of our ſenſes, and of our imaginations, the enjoyments of our fortunes, or the beſt production of our reaſon, and thereby the content and happineſs of our lives.

This is the true, natural, and common ſource of ſuch perſonal diſſatisfactions, ſuch domeſtic complaints, and ſuch *popular diſcontents*, as afflict not only our private lives, conditions, and fortunes, but even our *civil ſtates* and governments, and thereby conſummates the particular and general infelicity of mankind; which is enough complained of by all that conſider it in common actions and paſſions of life, *but much more in the factions*,

factions, ſeditions, convulſions, and fatal revolutions that have ſo frequently, and in all ages, attended all, or moſt of the governments in the world.

This RESTLESS HUMOUR, ſo general and natural to mankind, is a weed that grows in all ſoils and under all climates, but ſeems to thrive moſt, and grow faſteſt in *the beſt*.—From *this original fountain* iſſue thoſe ſtreams of faction, that with the courſe of time and accident, overflow *the wiſeſt conſtitutions of governments and laws*, and *many times* make men treat the beſt princes and trueſt patriots, like the worſt tyrants and moſt ſeditious diſturbers of their country, and bring ſuch men to ſcaffolds, that deſerved ſtatues, to violent and untimely deaths, that were worthy of the longeſt and the happieſt lives.—If ſuch only as PHALARIS and AGATHOCLES, as MARIUS and CATILINE, had fallen victims to faction, or to popular rage, we ſhould have little to wonder or complain at, but we find the wiſeſt, the beſt of men, have been ſacrificed to the ſame idols.—SOLON and PYTHAGORAS have been allowed as ſuch in their own and ſucceeding ages; and yet the *one* was *baniſhed* and the other *murdered* by faction, which two ambitious men had raiſed in commonwealths, which thoſe two wiſe and excellent men themſelves had framed.—SCIPIO

and

and HANIBAL, the greateſt and moſt glorious captains of their own, or perhaps any other age, and the beſt ſervants of their reſpective commonwealths, were *baniſhed* and *diſgraced* by the factions of their countries: and to come nearer home, BARNEVOLT and DE WIT in *Holland*, Sir THOMAS MOORE, and the Earl of ESSEX, and Sir WALTER RALEIGH, in *England*, men eſteemed the moſt extraordinary of their time, fell all *bloody ſacrifices* to the factions of their courts or their countries.

There is no theme ſo large and ſo eaſy, no diſcourſe ſo common and ſo plauſible, as the faults or corruptions of governments, the miſcarriages or complaints of magiſtrates; none ſo eaſily received, and ſpread, even among good and well-meaning men, none ſo enviouſly raiſed, and employed ſo ill, nor turned to a worſe or more diſguiſed end.—NO GOVERNMENTS, NO TIMES WERE EVER FREE FROM THEM, NOR EVER WILL BE FREE, TILL ALL MEN ARE WISE, GOOD, AND EASILY CONTENTED.—NO CIVIL OR POLITICAL CONSTITUTION CAN BE PERFECT OR SECURE, WHILST THEY ARE COMPOSED OF MEN, WHO ARE FOR THE MOST PART PASSIONATE, INTERESTED, UNJUST, OR UNTHINKING, GENERALLY AND NATURALLY RESTLESS, AND UNQUIET; DISCONTENTED

DISCONTENTED WITH THE PRESENT, OR WHAT THEY HAVE, RAVING AFTER THE FUTURE, OR SOMETHING THEY WANT, AND THEREBY EVER DISPOSED AND DESIROUS TO CHANGE.

Another cauſe of diſtempers in ſtates, and *diſcontents* under all governments, is *the unequal condition* that muſt neceſſarily fall to the ſhare of ſo many and ſuch different men that compoſe them.—In great multitudes, *few* in compariſon are born to great titles or great eſtates; *few* can be called to public charges and employments of dignity, or power, and *few* by their induſtry and conduct arrive at great degrees of wealth and fortune; *and every one ſpeaks of the fair as his own market goes in it.*—All are eaſily ſatisfied with *themſelves*, and their own merit, though they are not ſo with *their fortune*; and, when they ſee others in *better condition* whom they eſteem *leſs deſerving*, they lay it upon the *ill conſtitution of things*, the *partiality* or *humour* of *princes*, the *negligence* or *corruption of miniſters*.

The common ſort of people who have any leiſure to think always find fault with *the times*, and ſome muſt have reaſon, for the merchant gains by *peace*, and the ſoldier by *war*; the ſhepherd by *wet ſeaſons*, and the ploughman by *dry*: when the city *fills*, the country

grows *empty*; and while trade *increaſes* in one place, it *decays* in another.—In ſuch variety and courſes of life, men's deſigns and intereſts muſt be oppoſite to one another, and both cannot ſucceed alike: whether the winner laughs or no, *the loſer will complain*, and rather than quarrel with *himſelf*, will abuſe the dice, or thoſe he plays with.—*When any body is angry, ſome one muſt be blamed*; and thoſe reaſons which cannot be *remedied*, thoſe accidents that could not be *prevented*, thoſe miſcarriages that no one could *foreſee*, will be then laid upon *the government*, and whether right or wrong, will have the ſame effect of raiſing or increaſing the COMMON and POPULAR DISCONTENTS.

In all ſtates there is one univerſal diviſion, which is the ſeparation of the *innocent* from the *criminal*; or between ſuch as are in ſome meaſure *contented* with what they poſſeſs by inheritance, or what they expect from their own abilities, induſtry, or parſimony; and thoſe who are *diſſatisfied* with what they have, and not truſting to thoſe innocent ways of acquiring more, muſt fall to others, and paſs from juſt to unjuſt, from peaceable to violent.

The *firſt* deſire ſafety, and to keep what they have; the *ſecond* are content with dangers, in hopes to get

what others legally poſſeſs: *one* loves the preſent ſtate and government, and endeavours to ſecure it; the *other* deſires to end this game, and ſhuffle for a new: *one* loves fixed laws, and the *other* an unſettled power; yet the laſt, when they have gained *enough* by factions and diſorders, by rapine and violence, come then to change *their principles* with *their fortunes*, and grow friends to eſtabliſhed order and fixed laws.—So the NORMANS of old, when they had divided the ſpoils of the Engliſh lands and poſſeſſions, grew bold defenders of the common law of the land.—So of later days, it was obſerved, that CROMWELL's *officers* in the army, who were the firſt *for burning records*, for *levelling of lands*, while they had none of their own; yet when afterwards they were grown rich and landed men, they fell into the praiſe of the *Engliſh laws*, and cried up the *magna charta* as *our anceſtors had done before with a much better grace.*

Could we ſuppoſe a body politic framed *perfect* in its firſt conception or inſtitution; yet, if *the adminiſtration* be ill, ignorant, or corrupt, too rigid, or too remiſs, too negligent, or ſevere, theſe may juſtly occaſion for *the preſent* ſome *diſcontent.*—Yet this is an evil, to which all ſublunary things are ſubject, not only by accident, but even by natural diſpoſitions, and which can

hardly be altered.—This it is however that makes the firſt and univerſal default of all governments; and this made the philoſophers of old, inſtead of ſeeking or accepting the public magiſtracies or offices of their countries, employ their time and care to *improve* men's reaſons, to *temper* their affections, to *allay* their paſſions, to *diſcover* the vanity, or the pride, and ambition, of riches, and power; believing *the only way to make their countries happy and free, was to make men wiſe and good, juſt and reaſonable.*—But as *nature* will be ever ſuperior to *art*, ſo theſe excellent men have ſucceeded but little in their deſign, and left the world juſt as they found it, ever unquiet and unſtable.

How can a prince always chuſe well ſuch as he employs, when men's *diſpoſitions* are ſo *eaſily miſtaken*, and *their abilities* too? How deceitful are *appearances?* How *falſe* are men's *profeſſions?* How *hidden* are their *hearts?* How *diſguiſed* their *principles?* How *uncertain* their *humours?*

Many men are good and eſteemed when they are *private*, ill-diſpoſed and hated when *in office*; honeſt and contented when they are *poor*, covetous and violent when they grow *rich:* they are *bold* one day, and *cautious* another; *active* at one time of their lives, and *lazy* the

the reſt; ſometimes purſue their *ambition*, and ſometimes their *pleaſure*; nay, among ſoldiers, ſome are *brave* one day, and *cowards* another, as great captains have related on their own experience and obſervation. *Gravity* often paſſes for wiſdom, *wit* for ability; what men ſay for what they *think*, and *boldneſs of talk*, for *boldneſs of heart*.—Nothing is ſo commonly *miſtaken* as *vulgar opinion*; and many men come out, when they come into great and public employments, the weakneſs of whoſe heads or hearts would never have been diſcovered, if they had kept within their private ſphere of life.

Beſides, princes cannot run into every corner of their dominions, to look out for perſons fit for the ſervice of the public: they cannot ſee far with their own eyes, nor hear with their ears; and muſt for the moſt part do *both* with *thoſe of other men*, or elſe chuſe among ſuch ſmaller numbers as are *moſt in their way*; and *theſe are ſuch*, generally, as *make their court, or give their attendance, in order to advance themſelves to honours, to fortunes, to places, and employments*; and are *uſually the leaſt worthy of them*, and *better ſervants* to *themſelves* than the *government*.—*The needy, the ambitious, the half-witted, the proud, the covetous, are ever reſtleſs to get into public employments,*

employments, and many others that are uneaſy or ill entertained at home.—The forward, the buſy, the bold, the ſufficient, purſue their game with more paſſion, endeavour, application, and thereby often ſucceed where better men would fail.—In the courſe of my obſervation I have found no talent of ſo much advantage among men, towards their growing great or rich, as a violent and reſtleſs paſſion; for whoever ſets his heart and thoughts wholly upon ſome one thing muſt have very little wit, or very little luck, to fail.—Yet *all theſe* cover their *ends* with moſt *worthy pretences*, and thoſe noble ſayings, "MEN ARE NOT BORN FOR THEMSELVES, AND MUST SACRIFICE THER LIVES FOR THE PUBLIC, AS WELL AS THEIR TIME AND THEIR HEALTH:" and thoſe who think nothing leſs are ſo uſed to ſay ſuch fine things, that ſuch who *truly believe them* are almoſt aſhamed to own it.—*In the mean time, the noble, the wiſe, the rich, the modeſt, thoſe eaſy in their conditions or their minds, thoſe who know moſt of the world and themſelves, are not only careleſs, but often averſe from entering into public charges or employments, unleſs upon the neceſſities of their country, the commands of their prince, or the inſtances of their friends.*—What is to be done in this caſe, when ſuch as offer themſelves, and purſue, are not *worth having*, and

ſuch

ſuch as are moſt worthy will *neither offer, nor perhaps accept.*

When, upon this occaſion, complaints and diſcontents are ſown among *well meaning men*, they are ſure to be cultivated by *others* that are ill-intentioned and intereſted, and who cover their own ends under thoſe of the public, and, by the good and ſervice of the nation, mean nothing but their own.—The practice begins of knaves and fools, of artificial and crafty men upon the ſimple and the good; theſe eaſily follow, and are caught, while the others lay the trains, and purſue a game, wherein they deſign no other ſhare, than of *toil* and *danger* to their company, but the *gain* wholly to themſelves.—*They blow up ſparks wherever they find the ſtubble is dry: they find out miſcarriages wherever they are, and forge them often where they are not; they find fault firſt with the perſons in office, and then with the prince or ſtate* [a]; *ſometimes with the execution of laws, and at*

[a] It is but *a fooliſh wiſdom*, which is ſo *carefully diſplayed*, in *undervaluing princes*, and placing them on a level with the meaneſt of mankind.—To be ſure, *an anatomiſt* finds no more in the *greateſt monarch* than in the *loweſt peaſant or day-labourer*; and a moraliſt may, perhaps, frequently find leſs. But what do all theſe reflections *tend to*?—We, all of us, *ſtill* retain theſe prejudices in favour of birth and family; and neither in our ſerious occupations, nor moſt careleſs amuſements, can we ever get intirely rid of them.—A tragedy,

at other times with the inſtitutions, how ancient and ſacred ſoever.—They make alarms paſs for actual dangers, and appearances for truth; repreſent misfortunes for faults, and mole-hills for mountains; and by the perſuaſion of the vulgar, and pretences of patriots, or lovers of their country, at the ſame time that they undermine the credit and authority of the government, they ſet up their own.—This raiſes a faction between thoſe ſubjects that would *ſupport* government, and thoſe that would *ruin* it; or rather between thoſe that poſſeſs honors and advantages of it, and thoſe that, UNDER THE PRETENCE OF REFORMING, deſign only or chiefly to change the hands it is in, and care little what becomes of the reſt.

When this fire is kindled, both ſides inflame it; all care of *the public* is laid aſide, and nothing is purſued but *the intereſt of the factious* [a]; all regard of merit is loſt in perſons,

tragedy, that ſhould repreſent the adventures of *porters*, would preſently diſguſt us; but one that introduces *kings* and *princes*, acquires in our eyes an air of importance and dignity.—*Or ſhould a man be able, by his ſuperior wiſdom, to get intirely above ſuch prepoſſeſſions, he would ſoon, by means of the ſame wiſdom, again bring himſelf down to them, for the ſake of ſociety, whoſe welfare he would perceive to be intimately connected with them.*—Far from endeavouring to undeceive the people in this particular, he would cheriſh ſuch ſentiments of reverence to their princes, as requiſite to preſerve a due ſubordination in ſociety.

[a] Of all men, that diſtinguiſh themſelves by memorable atchievements, the *firſt place of honour* ſeems due to LEGISLATORS *and* FOUNDERS OF STATES, who

perſons *employed*, and thoſe *only* are choſen, that are *true to* THE PARTY; and the only talent required is, to be *hot*, to be *heady*, to be true to the ſide he is on.—When

who tranſmit a *ſyſtem* of *laws* and *inſtitutions* to ſecure the *peace*, *happineſs*, and *liberty* of future generations.—The influence of uſeful inventions in the arts and ſciences may, perhaps, extend farther than that of wiſe laws, whoſe effects are limited both in time and place; but the benefit ariſing from the former, is not ſo ſenſible as that which reſults from the latter.—Speculative ſciences do, indeed, improve the mind; but this advantage reaches only to a few perſons, who have leiſure to apply themſelves to them.—And as to practical arts, which increaſe the *commodities* and *enjoyments* of life, it is well known, that *men's happineſs* conſiſts not ſo much in an *abundance* of theſe, as in the *peace and ſecurity with which they poſſeſs them*; and *thoſe bleſſings* can only be derived from *good government*.—Not to mention, that general virtue and good morals in a ſtate, which are ſo requiſite to happineſs, can never ariſe from the moſt refined precepts of philoſophy, or even the ſevereſt injunctions of religion; but muſt proceed intirely from the *virtuous education of youth*, the effect of *wiſe laws* and *inſtitutions*.

As much as LEGISLATORS *and founders of ſtates ought to be honoured and reſpected among men, as much ought the founders of ſects and factions to be deteſted and hated; becauſe the influence of faction is directly contrary to that of laws. Factions ſubvert government, render laws impotent, and beget the fierceſt animoſities among men of the ſame nation, who ought to give mutual aſſiſtance and protection to each other.*—And what ſhould render the founders of parties more odious is, the difficulty of extirpating theſe weeds, when once they have taken root in any ſtate.—They naturally propagate themſelves for many centuries, and ſeldom end but by the total diſſolution of that government, in which they are ſown.—*They are, beſides, plants which grow moſt plentifully in the richeſt ſoil*; and though abſolute governments be not intirely free from them, it muſt be confeſſed, that they riſe more eaſily, and propagate themſelves faſter *in free governments*, where they always infect the legiſlature itſelf, which alone could be able, by the ſteady application of rewards and puniſhments, to eradicate them.

theſe ſtorms are raiſed, the *wiſe* and *good* are intirely laid aſide or retire of themſelves, and leave the ſcene to ſuch as are more active and eager to get upon the ſtage.

From theſe ſeeds grow popular commotions, and at laſt ſeditions, which ſo often end in ſome fatal periods of *the beſt governments*.—I cannot leave this ſubject of *popular diſcontents* without reflecting and bewailing, *how much* and *how often* our country has been infeſted by them; how they have ravaged and defaced *the nobleſt iſland of the world, and which ſeems, from the happy ſituation, the temper of climate, the fertility of ſoil, the numbers and native courage of the inhabitants, to have been deſtined by God and nature, for the greateſt happineſs, or ſecurity at home, and to give laws, or balance at leaſt, to all their neighbours abroad.*

Upon a clear ſurvey of theſe diſpoſitions in mankind, and the condition of all governments, it ſeems much more reaſonable to *pity*, than to envy the fortunes and dignities of princes; and to leſſen or excuſe their venial faults, or at leaſt *their misfortunes*, rather than to increaſe or make them worſe by ill colours or repreſentations.—FOR AS EVERY PRINCE SHOULD GOVERN, AS HE WOULD DESIRE TO BE GOVERNED, IF HE WERE A SUBJECT,

A SUBJECT, SO EVERY SUBJECT SHOULD OBEY, AS HE WOULD DESIRE TO BE OBEYED, IF HE WERE A PRINCE; AND THIS MORAL DUTY OF DOING AS YOU WOULD BE DONE BY, EQUALLY REACHES AND APPLIES TO THE PEASANT AS THE CROWN [a].

[a] Sir William Temple.

SECT. XXI.

THE MOB.

THIS claſs of men can be brought to act in concert upon no other principles than thoſe of a frantic enthuſiaſm and ungovernable fury; their profound ignorance and deplorable credulity make them proper tools for any man who can inflame their paſſions, or alarm their ſuperſtition; *and as they have nothing to loſe by the total diſſolution of civil ſociety, their rage may be eaſily directed againſt any victim which may be pointed out to them.*—They are altogether incapable of forming a rational judgment either upon the principles or the motives of their own conduct; and whether the object for which they are made to contend, be good or bad, *the brutal arm of power* is all the aſſiſtance they can afford for its accompliſhment.—To ſet in motion this inert maſs, the eccentric vivacity of a madman is infinitely better calculated than the ſober coolneſs of phlegmatic reaſon.—They need only to be provoked and irritated, and they never

never can in any other manner be called into action. In the year 1780, they aſſembled at London to the number of 60,000, under the direction of Lord GEORGE GORDON, and carrying fire and rapine before them, were upon the point of giving the whole city of London to one undiſtinguiſhed devaſtation and deſtruction: and this, *becauſe the parliament had mitigated the ſeverity of a ſanguinary and tyrannical law of perſecution againſt the Roman Catholics.*—Should theſe people be taught that they have a right to do every thing, and that the titles of kings and nobles, and the emoluments of public offices, are all uſurpations and robberies committed upon them, I believe it would not be difficult to rouſe their paſſions, and to prepare them for every work of ruin and deſtruction.—But, when they are once put in motion, they ſoon get beyond all reſtraint and controul.—*The rights of man, to life, liberty, and property, oppoſe but a feeble barrier to them; the beauteous face of nature, and the elegant refinements of art, the hoary head of wiſdom, and the enchanting ſmile of beauty, are all equally liable to become obnoxious to them; and as all their power conſiſts in* DESTRUCTION, *whatever meets with their diſpleaſure muſt be devoted to ruin.*—Could any thing but an imperious, over-ruling neceſſity juſtify any man, or body

body of men, for uſing *a weapon like this* to operate a revolution in government?—Such indeed was the ſituation of the French National Aſſembly, when they directed the electric fluid of this popular frenzy againſt the ancient fabric of their monarchy.—They juſtly thought that no price could purchaſe too dearly the fall of arbitrary power in an individual, but, perhaps, even *they* were not aware of all the conſequences which might follow from committing the exiſtence of the kingdom to the cuſtody of a lawleſs and deſperate rabble.

But do the people of England labour under ſuch intolerable oppreſſion, as would authoriſe any of *their patriots* [a] to employ an arm like this for their relief?—Suppoſe ſixty thouſand men ſhould again aſſemble round Weſtminſter-hall, and with clubs and fire-brands for their *ſole arguments*, ſhould compel the parliament to alter the preſent form of government, what would be the PROBABLE CONSEQUENCES?—Is it clear that ſo large a majority of the people of England have loſt all their attachment to their conſtitution, as to inſure an

[a] *Patriots*, ſays Sir ROBERT WALPOLE, have a growth like muſhrooms. It is but denying a place, or refuſing an unreaſonable demand, and up ſtarts *a patriot*.

acquieſcence in the meaſure throughout the kingdom? Is it certain that one quarter part of the people would obey an act extorted by ſuch violence as this?—*Would not all friends of the preſent government rather rally round the ſtandard of the conſtitution, and would not their duty compel them to defend it with their lives and fortunes?—If it ſhould ſoon appear that they were decidedly the ſtrongeſt party, would not the inſurrection be extinguiſhed in the blood of its leaders?—If the parties ſhould prove to be nearly equal, would not the nation be involved in all the horrors of a long and bloody civil war?*—In whatever point of view, the effects of this ſcheme are contemplated, they preſent nothing but proſpects at which every friend of mankind muſt ſhudder [b].

[b] Mr. Adams.

SECT. XXII.

REASONS FOR CONTENTMENT AND FEAR.

THERE are many invincible arguments, which ſhould induce the *malcontent party* in ENGLAND at this time *to acquieſce entirely in the preſent ſettlement of the conſtitution.*

Is not the *preſent monarchical government*, in its full extent, authorized by *lawyers*, recommended by *divines*, acknowledged by *politicians*, acquieſced in, nay paſſionately cheriſhed, by the *people in general*; and all this during a period of at leaſt a hundred and ſixty years, and *till of late, without the ſmalleſt murmur or controverſy?*—This *general conſent* ſurely, during *ſo long a time*, muſt be ſufficient to render a *conſtitution legal and valid.*—If the origin of all power be derived, as is pretended, from the people; here is *their conſent* in the fulleſt and moſt ample terms that can be deſired or imagined.

They muſt be ſenſible that the *plan of liberty* is *ſettled*; its *happy effects* are *proved* by experience; a *long*

tract

tract of time has given it *ſtability*; and whoever would attempt to overturn it, would, beſides other more criminal imputations, be expoſed to the reproach of faction and innovation.—They muſt be ſenſible that *public liberty, with internal peace and order, has flouriſhed almoſt without interruption: trade and manufactures, and agriculture, have increaſed: the arts, and ſciences, and philoſophy, have been cultivated.—Even religious parties have been neceſſitated to lay aſide their mutual rancour: and* THE GLORY OF THE NATION *has ſpread itſelf all over* EUROPE; *derived equally from our progreſs in the arts of peace, and from valour and ſucceſs in war.*—SO LONG AND SO GLORIOUS A PERIOD NO NATION ALMOST CAN BOAST OF: NOR IS THERE ANOTHER INSTANCE IN THE WHOLE HISTORY OF MANKIND, THAT SO MANY MILLIONS OF PEOPLE HAVE, DURING SUCH A SPACE OF TIME, BEEN HELD TOGETHER, IN A MANNER SO FREE, SO RATIONAL, AND SO SUITABLE TO THE DIGNITY OF HUMAN NATURE.

It is well known, that *every government* muſt come to *a period*, and that *death* is unavoidable to the *political* as well as to the *animal body*.—But, as *one kind of death may be preferable to another*, it may be inquired, whether it be more deſirable for the BRITISH CONSTITUTION to

terminate in a POPULAR GOVERNMENT, or in ABSOLUTE MONARCHY?—Here I would frankly declare, that, though liberty be preferable to ſlavery, in almoſt every caſe; yet I ſhould rather wiſh to ſee an *abſolute monarch* than a REPUBLIC *in this iſland*.—For, let us conſider, what kind of republic we have reaſon to expect.—The queſtion is not concerning any *fine imaginary republic*, of which a man may form a plan in his cloſet.—There is no doubt, but a popular government may be imagined more perfect than abſolute monarchy, or even than our preſent conſtitution.—But what reaſon have we to expect that *any ſuch government* will ever be eſtabliſhed in BRITAIN, upon the diſſolution of our monarchy?—If any ſingle perſon acquire power enough to take our conſtitution to pieces, and put it up a-new, he is really an abſolute monarch; and *we have already had an inſtance of this kind, ſufficient to convince us, that ſuch a perſon will never reſign his power, or eſtabliſh any free government*.—Matters, therefore, muſt be truſted to their natural progreſs and operation; and the houſe of commons, according to *its preſent conſtitution*, muſt be the *only legiſlature* in *ſuch a popular government*.—The INCONVENIENCIES attending ſuch a ſituation of affairs, preſent themſelves by thouſands.—*If the houſe of*

commons,

commons, in ſuch a caſe, ever diſſolve itſelf, which is not to be expected, we may look for a civil war every election.—If it continue itſelf, we ſhall ſuffer all the tyranny of a faction, ſubdivided into new factions.—And, as ſuch a violent government cannot long ſubſiſt, we ſhall, at laſt, after many convulſions, and civil wars, find repoſe in abſolute monarchy, which it would have been happier for us to have eſtabliſhed peaceably from the beginning.—ABSOLUTE MONARCHY, THEREFORE, IS THE EASIEST DEATH, THE TRUE EUTHANASIA OF THE BRITISH CONSTITUTION [a].

[a] Hume.

ON THE

ANCIENT REPUBLICS.

SECT. XXIII.

THE REPUBLIC OF GREECE.

THERE is not any thing more various and undefinable than *perſonable character*.—The ſame man is, at different times, ſo different from himſelf; and ſuch a variety of circumſtances and motives direct or influence his behaviour, that it is difficult to give any ſuch general deſcription of him.—But the *characters of nations* are marked by bolder lines, and glow with warmer colours.—The cauſes and circumſtances which diſcriminate one people from another, muſt be ſuch as are fitted to operate on the multitude, and conſequently of a nature equally powerful and permanent; they are too ſtrong and too palpable ever to be miſtaken; and the difference of ſentiment and action which they introduce, is too conſiderable to eſcape the leaſt attentive obſerver.

When we confine our attention merely to the public tranſactions of the Greeks, and conſider either their wars

with the PERSIANS, in which they ſtruggled for independence againſt a foreign enemy, or their DOMESTIC CONTENTIONS, in which they fought againſt one another for pre-eminence, the *envy*, *diſtruſt*, and *animoſity*, diſcovered on ſuch occaſions, may be eaſily converted, by a little heightening of eloquence, into *emulation*, *patriotiſm*, *and courage.*—*The virtues which animated a few great men*, *whoſe minds were elevated by the important meaſures which they were called to conduct*, *and whoſe illuſtrious merit hiſtorians and biographers have been at great pains to deſcribe*, *are thus conſtrued into general characteriſtics of the nation.*—On ſuch *partial* grounds have authors, equally diſtinguiſhed by genius and learning, deſcribed with admiration the manners and inſtitutions of the Greeks.—In reading their elegant performances on this favourite theme, we ſeem tranſported into a new and unknown country, where the wonders of art, and the virtues of men, vie with the beauties of nature and the climate, and heighten the pleaſures which they afford.—Impreſſed with theſe charming, but *fanciful deſcriptions*, we recal, at the name of Greece, the ideas of taſte, eloquence, liberty, and virtue; and imagine, that we can never exhauſt the praiſes of a people, among whom thoſe inventions and diſcoveries, which form the

chief

chief ornament of human nature, were originally produced; and, being reared with peculiar care, attained full vigour and maturity.—The merit of that ſyſtem of government, in particular, which opened a field of improvement ſo beneficial to man, cannot, we think, be ſufficiently extolled.—If genius be the father of refined arts, *liberty*, it has been aſſerted, is their *mother*.—She not only gives them birth, but nouriſhes and ſupports their infant ſtate; and the advantages moſt glorious for Greece, becauſe peculiar to that country, are commonly aſcribed to the REPUBLICAN INSTITUTIONS firſt eſtabliſhed there, unknown in a great meaſure to the reſt of the ancient world, and never adopted in their full extent by any modern nation.

But when we examine the effect of the Grecian inſtitutions, which afforded ſuch ſcope *to the efforts of genius*, and *to the virtues and abilities of individuals*, on THE HAPPINESS OF THE NATION AT LARGE;—and when, in this view, we contemplate the tranſactions of thoſe celebrated republics in negotiation or war, as enemies, colonies, or allies, our *admiration* is converted into *pity*.—No people ſeem to have paid *leſs attention* to thoſe common but important maxims which have been introduced for the general benefit of ſociety; *and it may*

be

be affirmed, that their condition, even during the moſt brilliant period of their political exiſtence, was more calamitous and afflicted, than that of any other poliſhed nation which hiſtory deſcribes.

The ſituation of a country with regard to its neighbours, and the revolution of public affairs, have doubtleſs a great influence on the manners of its inhabitants.—They are ſplendid and important objects, and have ſeldom failed to attract the attention which they deſerve.—But the internal policy of a ſtate, the abundance or ſcarcity of the things moſt neceſſary for life, the refinement or ſimplicity in which the people are accuſtomed to live, the progreſs of arts whether liberal or mechanical: theſe circumſtances have a no leſs powerful effect in determining the national character; and, as they lie more concealed from ordinary obſervation, have commonly been neglected and forgotten.—In explaining their condition and extent, as well as their effect and tendency, among the Greeks, I ſhall not have occaſion to deſcribe, at any length, the ſingular inſtitutions of LYCURGUS, which had ceaſed in a great meaſure to govern the SPARTANS [a], before the commencement of the period of hiſtory which is the object of the preſent

[a] Xenophon, de Repub. Lacedæm. Iſoc. in Archid.

inquiry.

inquiry.—Before this time, the different ſtates of Greece had been gradually approaching to a near reſemblance; and at the concluſion of the PELOPONNESIAN WAR, they had attained a ſtriking ſimilarity in government, manners, and laws [a].—But the features of the Greek character, which ſufficiently diſtinguiſh the whole nation from every other, were more prominent, if I may ſay ſo, in the ATHENIANS, than in any of the neighbouring people.—*To them*, therefore, my obſervations will more particularly relate; and I ſhall remark, in the progreſs of my diſcourſe, the principal lines of deviation from ATHENIAN MANNERS in the other Grecian republics.

In the extenſive and well regulated kingdoms of modern Europe, men are deterred from injuſtice by the certainty of puniſhment.—Their pretenſions, as well as their obligations, are determined by poſitive inſtitution, and private competitions are ſeldom allowed to diſturb the public tranquillity.—*In the tumultuary governments of ancient Greece the cauſes of diſſenſion were innumerable; while the feeble reſtraint of laws, ill adminiſtered, was unable to counteract their force.—We need only open* XENOPHON, THUCYDIDES, *or* DIODORUS SICULUS, *to ob-*

[a] Xenophon, de Repub. Lacedæm. Iſoc. in Archid.

ſerve

ſerve the perpetual conteſts between rich and poor, between the friends of democracy and the partiſans of ariſtocratical government.—ARISTOTLE *informs us* [a], *that in ſeveral republics, the higher ranks of people bound themſelves by oath to neglect no opportunity of doing wrong to their inferiors.*—*We learn from* XENOPHON [b], *that the populace of Athens commonly behaved to the rich, as if they had acted under the influence of an engagement no leſs atrocious. Amidſt the oppoſition of contending factions in the ſmaller ſtates, near one half of the community were frequently put to death* [c], *or baniſhed by the other; and, on many occaſions,*

[a] Polit. [b] De Repub. Athen.

[c] We ſhall mention from DIODORUS SICULUS alone a few maſſacres, which paſſed in the courſe of ſixty years, during the moſt ſhining age of Greece. There were baniſhed from SYBARIS 500 of the nobles and their partizans; lib. xii. p. 77. *ex edit.* RHODOMANNI. Of CHIANS, 600 citizens baniſhed; lib. xiii. p. 189. At EPHESUS, 340 killed, 1000 baniſhed; lib. xiii. p. 223. Of CYRENIANS, 500 nobles killed, all the reſt baniſhed; lib. xiv. p. 263. The CORINTHIANS killed 120, baniſhed 500; lib. xiv. p. 304. PHÆBIDAS the SPARTAN baniſhed 300 BÆOTIANS; lib. xv. p. 342. Upon the fall of the LACEDEMONIANS, democracies were reſtored in many cities, and ſevere vengeance taken of the nobles, after the GREEK manner. But matters did not end there. For the baniſhed nobles, returning in many places, butchered their adverſaries at PHIALÆ, in CORINTH, in MEGARA, in PHILASIA. In this laſt place they killed 300 of the people; but theſe again revolting, killed above 600 of the nobles, and baniſhed the reſt; lib. xv. p. 357. In ARCADIA 1400 baniſhed, beſides many killed. The baniſhed retired to SPARTA and to PALLANTIUM: the latter were delivered up to their countrymen, and all killed; lib. xv. p. 373. Of the baniſhed from ARGOS and THEBES, there were 509 in the SPARTAN

ſions, the vanquiſhed party, reinforced by foreign aſſiſtance, returned back into their country, and retorted ſimilar injuries on their unhappy opponents [a].—*During theſe furious agitations, no more reſpect was paid to what was ſacred than to what is profane.—Secret treachery conſpired with open violence.—Even the principles of aſſaſſination were publicly avowed; and wretches boaſted before numerous aſſemblies, of having inſidiouſly murdered their fellow-citizens* [b].

In the intervals of theſe *violent paroxyſms of party-rage, private quarrels* kept the ſtate in perpetual fermentation.—The competitions for civil offices, for military command, for honours at religious ſolemnities, or at public entertainments, opened an ever-flowing ſource of bitter animoſity [c].—Neighbours were commonly at

army; *id.* p. 374. Here is a detail of the moſt remarkable of AGATHOCLES's cruelties from the ſame author. The people before his uſurpation had baniſhed 600 nobles; lib. xix. p. 655. Afterwards that tyrant, in concurrence with the people, killed 4000 nobles, and baniſhed 6000; *id.* p. 647. He killed 4000 people at GELA; *id.* p. 741. By AGATHOCLES's brother 8000 baniſhed from SYRACUSE; lib. xx. p. 757. The inhabitants of ÆGESTA, to the number of 40,000, were killed, man, woman, and child; and with tortures, for the ſake of their money; *id.* p. 802. All the relations, *viz.* father, brother, children, grandfather, of his LIBYAN army, killed; *id.* p. 803. He killed 7000 exiles after capitulation; *id.* p. 816. It is to be remarked, that AGATHOCLES is called a man of great ſenſe and courage, and is not to be ſuſpected of wanton cruelty, contrary to the maxims of his age.——HUME.

[a] Diodor. lib. xv. et paſſim. [b] Lyſias in Agorat.

[c] Lyſias in his Oration relative to a conſecrated Olive.

variance.

variance.—Every one was regarded as an enemy, who had not proved himſelf a friend.—Hereditary reſentments were tranſmitted from one generation to another; and the ſeeds of diſcord being ſown in ſuch abundance, yielded a never-failing produce of libels, invectives, and legal proſecutions [a].

The principal employment of ſix thouſand Athenian citizens conſiſted in deciding law-ſuits.—The courts of juſtice were ſhut on the holidays [b], which engroſſed two months in the year; ſo that during the remaining ten, the judicial office occupied a number of perſons, almoſt equal to a third part of the whole community [c].—Theſe judges

[a] Idem in Alcibiad. Iſoc. ibid.

[b] See Lyſias againſt the Exchequer.

[c] When I meet with perſons who reproach my countrymen, that a man will paſs a whole year at Athens without terminating the affairs which brought him there, whether it depends on the ſenate, or the aſſembly of the people, I have for anſwer—That the ſole cauſe of this delay is the immenſe number of affairs; and ſo great is that number, that Athens is not capable of ſending them all back again, after their buſineſs is concluded.

And how can the Athenians expedite them all? being always obliged to celebrate more feſtivals than any other Grecian ſtates (and on theſe days they have not much time to beſtow on other affairs). They have afterwards to decide a greater number of civil and criminal cauſes than are judged in all the reſt of the univerſe; beſides this the ſenate beſtows much attention to the ſtate of the finances and the war department. Thoſe which are the conſtant cares of a ſtate, ſuch as attention to our allies, the receipt of the tributes, the care of the dockyards and marine arſenals, as well as what relates to religion and its worſhip, occupy a conſiderable portion of their time. Ought one to be ſurpriſed that the Athenians, overwhelmed with ſo many affairs, cannot terminate thoſe of every particular?

judges determined cauſes not only between their fellow-citizens, but between the different ſubjects of the republic, who, comprehended under the various names of colonies, allies, or tributary ſtates, were all equally amenable to the Athenian tribunals [a].—The profits ariſing from courts of juſtice afforded a valuable reſource to the poorer citizens of Athens [b].—The fees to which they

Some reproach us, that there are yet ways left to terminate their affairs at Athens, and that whoever applies to the ſenate or the people, with money in his hand, will never be put off. I confeſs, by this method they finiſh many affairs at Athens, and that if more of the ſolicitors practiſed it, more buſineſs would be done. But I know well beſides, that the Athenians will not ſuffer a numbes of urgent deciſions to be ſettled, whatever bribery may be practiſed.——XENOPHON.

[a] The populace behold with joy our allies coaſting to Athens to prefer their numerous accuſations, for in theſe ſtates they hate any man that is virtuous. The Athenians know that the *ſovereign country* is neceſſarily odious to the *people ſubjected*; and that if they ſuffer in the ſtates the *rich*, or thoſe who through other means *poſſeſs power* to aggrandiſe themſelves, *the empire of the Athenian republic would not be of long continuance.* It is for THIS REASON they deprive *virtuous men* of their property, confiſcate their eſtates, ſend them into exile, and even deprive them of life, at the ſame time they encourage and applaud wicked men. This reaſon is given by the way of apology by XENOPHON!

[b] It appears, they reproach us for having enacted an oppreſſive law, in obliging our allies to try their cauſes *at Athens.* In anſwer to this, it will be proper to enumerate *all the advantages* which reſult to the *populace of Athens.* In the firſt place, the *charges* of theſe ſuits turn immediately to *their profit*, and they receive, during the courſe of the year, juſtly ſpeaking, a daily revenue; they can, moreover, by theſe means, govern all the confederate ſtates, without an Athenian ever quitting his houſe, or putting a veſſel to ſea. They have

they were lawfully entitled, amounted annually to an hundred and fifty talents; *the bribes* which they received, probably exceeded that ſum; and both united, compoſed a ſixth part of the Athenian revenues.—As the far greater proportion of judges among that litigious people were choſen promiſcuouſly from the whole body of the citizens, they excited nothing of that *reſpect*

have alſo, by theſe proceedings in the tribunals, *an opportunity of acquitting thoſe who are attached to them, and to ruin*, on the contrary, *thoſe who are of the oppoſite party*. But if the allied ſtates had each of them their tribunals to decide their own cauſes, as they bear with impatience the yoke which we impoſe on them, they might uſe, perhaps, the ſame means *to ruin thoſe* of their citizens *who are moſt attached to the people of Athens*.

It will be proper to mention here many *other advantages* which accrue to the people, from the neceſſity impoſed on our allies to judge their legal affairs at Athens. The port duty which they levy in Pirea, and which they call the hundredth penny, produces conſiderably to the ſtate. The hire of houſes and ſlaves brings in great profit to the Athenians, who are the proprietors; and theſe voyages of our allies prove very advantageous to us; for the major part of our allies become ſeamen, and are able to work our veſſels as ſoon as they come on board, becauſe they are continually practiſing the art.

If the allies did not try their cauſes at Athens, they would only know, or reſpect, thoſe of the Athenians who viſit their coaſt, as the commanders of the corps of infantry, thoſe of the gallies, and the delegates who are ſent to them. Now each citizen of our allies is obliged to flatter, and conciliate himſelf with *all the populace*; for he foreſees, that whether he has a cauſe at iſſue, or means to commence one, he muſt come to decide it here, not by certain magiſtrates, but by all the people, for ſuch is the law at Athens. He is obliged to acquaint each Athenian in the court, to ſolicit him, and to take him courteouſly by the hand, when he enters. This cuſtom has very much contributed to render our allies, much more than they otherwiſe would have been, the real ſlaves of the people of Athens.——XENOPHON's Defence of the Athenians.

which,

which, in moſt other nations, the exerciſe of judiciary power naturally commands.—Inſtead of magiſtrates elevated above the common rank, and prepared by a long courſe of laborious education for the honourable functions to which they are called, the Athenians inveſted perſons in the *meaneſt ſtation of life*, with a power to *explain the laws*, and to *decide queſtions*, where FORTUNE, LIFE, and LIBERTY, *were at ſtake*.—Theſe judges were in every reſpect on a level with thoſe whoſe differences they determined.—As they were accuſtomed to the ſame manner of life, and engaged in the ſame occupations or amuſements, they were naturally animated by ſimilar feelings, and actuated by ſimilar motives.—Hence the Athenian pleadings wear an air of peculiar liberty; the parties deſcend into ſuch particulars as before no ordinary tribunal could be admitted; and, exhibiting their ſentiments and character without diſguiſe or reſerve, preſent the moſt intereſting, becauſe the moſt genuine picture, of the manners which diſtinguiſh that celebrated age.—From a ſuperficial view of this judicial information, the moſt authentic ſurely that can poſſibly be obtained, it will appear in general, THAT GREECE WAS NOT THAT HAPPY COUNTRY WHICH HAS BEEN OFTEN SO ELOQUENTLY DESCRIBED, NOR

INHABITED

INHABITED BY THAT GENEROUS RACE OF MEN WHO ROSE SUPERIOR TO THE LITTLE PASSIONS OF ORDINARY MORTALS.—In many reſpects thoſe *fierce republicans* differed from the nations with which we are beſt acquainted; but in many particulars alſo they agreed.—*The* AMOR PATRIÆ *was like the patriotiſm of modern times, more frequently pretended than real; their public ſpirit, hypocriſy; and while, in order to deceive one another, they continually talked of virtue and liberty, they had, at bottom, no other object in view, in all their civil conteſts, but private intereſt and ambition*[a].

Their orations enable us not only to deſcribe the Athenian character, but to point out the circumſtances which chiefly contributed to form it.—In order to have a more complete view of this ſubject, we may conſider the different claſſes of men in Athens as citizens, ſtrangers, and ſlaves; and examine the manners which naturally reſulted from each particular condition.—In a republic, where hereditary honours were unknown, and where the magiſtrates, appointed by lot, or elected by ſuffrage, returned at the year's end to a private ſtation, diſtinction of ranks could only be founded, either

[a] See Lyſias's defence of a citizen accuſed of deſtroying the ancient government.

on the perſonal merit, or private fortunes, of individuals. —Ancient writers continually ſpeak of the *rich* and *poor* as the *two* principal diviſions in the ſtate.—They formed indeed *two diſtinct parties*[a]; each of which had *its particular views* and *ſeparate intereſts*.—I ſhall hereafter have occaſion to aſſign more particularly the limits of Athenian fortunes; it is ſufficient for the preſent purpoſe to regard thoſe as rich, whoſe eſtates yielded the neceſſary comforts of life.—This claſs of citizens, as well as the poorer ſort, till the age of forty, were bound by the duty of perſonal ſervice in defence of the republic.—When relieved from this oppreſſive taſk, they were loaded with the ſtill ſeverer burden of public contributions.—On all extraordinary occaſions they were obliged to ſupply the deficiencies of the exchequer[b]: it was their province to exerciſe every public office attended with expence[c]; and many private acts of generoſity were rather extorted from them, than ſolicited, by thoſe

a The Athenians never ſuffered any one to ridicule, in their comedies, *the maſs of the people*, or ſpeak diſreſpectfully of them, for they cannot bear to be ſatiriſed *themſelves*. But they authorize, what did I ſay? they excite the comic actors to diſplay their humour in what particular they pleaſe, as they know the object of their irony will be, not a man of the popular party, or of the lower claſs of the Athenians, *but a rich citizen of a good and noble family*.——XENOPHON.

b Iſocrates on reforming the government of Athens.

c Xenophon. de repub. Athen.

who

who ſtood in need of their aſſiſtance[a].—When called a ſecond time to the performance of the ſame duties which had *already half ruined their fortunes*, no argument, how well ſoever it might be founded, and with whatever art it might be urged, was ſufficient to excuſe them.—They were compelled either to ſubmit to the taſk, which their countrymen had impoſed, or to exchange their eſtates with ſuch as offered to undertake it[b].

Amidſt *theſe* oppreſſive regulations, *two* circumſtances were fitted to give peculiar uneaſineſs.—If the money required of the rich had been employed either for the relief of the diſtreſſed, or for the general intereſt of the community, good citizens might have conſoled themſelves by the proſpect of *public benefits* for the loſs of private fortune.—But it was not with a view to equip a fleet, to levy ſoldiers, to portion the daughters of the poor, or to employ their ſons in agriculture and commerce, that the heavieſt contributions were demanded[c].—A man might have performed all theſe generous offices, without being entitled to the public approbation.—*When an accuſation was brought againſt him by thoſe who envied*

[a] Lyſias concerning the goods of Ariſtoph.

[b] Iſoc. ibid.

[c] Lyſias concerning the goods of Ariſtoph.

his proſperity, and when his liberty and life were in danger, he ſolicited in vain the protection of his judges, unleſs he could deſcribe his magnificence in religious feſtivals, in theatrical entertainments, in ſhows and figured dances exhibited for the amuſement of the people[a]. *—The ſums laid out for theſe extravagant purpoſes were the moſt profitably expended; and for theſe alone, he had reaſon to expect the higheſt returns of favour*[b].

[a] Lyſias in defence of a citizen accuſed of bribery.

[b] In order to recommend his client to the favour of the people, DEMOSTHENES enumerates all the ſums he had expended. When χωρηγος, 30 minas; Upon a chorus of men 20 minas; εισπυρριχισαις, 8 minas; ανδρασι χορηγων, 50 minas; κυκλικω χορω, 3 minas; Seven times, trierarch, where he ſpent 6 talents: Taxes, once 30 minas, another time 40; γυμνασιαρχων, 12 minas; χορηγω παιδικω χωρω, 15 minas; κωμοδοις χορηγων, 18 minas; πυρριχισαις αγενειοις, 7 minas; τριηρει αμιλλομενω, 15 minas; αρχηθεωρος, 30 minas: In the whole ten talents 38 minas.—An immenſe ſum for an ATHENIAN fortune, and, what alone would be eſteemed great riches, *Orat.* 20.—It is true, he ſays, the law did not *oblige him abſolutely* to be at ſo much expence, not above a fourth.—But without *the favour* of the people, *no body was ſo much as ſafe*; and this was *the* ONLY *way to gain it.*—See farther, *Orat.* 24. *de pop. ſtatu.*—In another place, he introduces a ſpeaker, who ſays that he had ſpent his whole fortune, and an immenſe one, eighty talents, for the people.—*Orat.* 25. *de prob.* EVANDRI.—The μετοικοι, or ſtrangers, find, ſays he, if they do not contribute largely enough to the people's fancy, that they have reaſon *to repent it.*—*Orat.* 30. *contra* PHIL.—You may ſee with what care DEMOSTHENES diſplays his expences of this nature, when he pleads for himſelf *de coronâ*; and how he exaggerates MIDIAS's ſtinginess in this particular, in his accuſation of that criminal.—All this, by the by, *is a mark of a very iniquitous judicature:* And yet the ATHENIANS valued themſelves on having the *moſt legal* and *regular adminiſtration* of any people in GREECE.—HUME.

But

But with regard to the money which he had been ordered to contribute for the defence of the ſtate, he had no ſecurity that it ſhould ever be applied for this beneficial purpoſe.—*The rapacity of the treaſurers*[a] *was as unbounded*, as *the injuſtice of the public was intolerable*.—The *latter* was open and avowed, and the citizens were ſo well accuſtomed to it, that they began to conſider it in the ſame light with ſickneſs, old rage, or any other natural calamity[b].—*The embezzlement of their magiſtrates, indeed, they bore not with equal patience*.—This is always ſpoken of with great warmth and indignation.—But reiterated complaints could not *correct the diſorder*.—The only conſolation left, was that thoſe rapacious demagogues, after they had ſufficiently enriched themſelves by the plunder of their country, would in all probability be plundered in their turn, and baniſhed, perhaps, or put to death[c].

I have already hinted at the irregularity of the Athenian tribunals; and the rich were the ordinary victims of their injuſtice.—Theſe corrupt aſſemblies were liable to every ſpecies of undue influence.—The parties

[a] Lyſias in defence of a citizen accuſed of bribery.

[b] Lyſias againſt the exchequer;

[c] Oration againſt Ergocles, in the Life of Lyſias.

came into court attended by their friends, relations, and ſometimes by almoſt all thoſe of the ſame ward or diſtrict[a]: they endeavoured to *ſeduce*, when they could not *intimidate*; perjury and falſe witneſſes were extremely frequent[b]; and while the plaintiff and defendant uſed every diſhonourable art for accompliſhing their deſigns, *the judges gave looſe reins to the moſt diſorderly paſſions*.—They were biaſſed by particular affections or perſonal reſentments; guided by the capricious fury of the vulgar, *they puniſhed with uncommon rigour the criminals who were firſt brought before them; when their rage began to ſubſide, they afterwards became as weakly compaſſionate, as they had been before unjuſtly ſevere; they relented of their cruelty, and allowed, perhaps, the accomplices of thoſe whom they had already condemned, or ſuch, at leaſt, as were tried for the ſame crimes, to eſcape unpuniſhed*[c].

By the irregular adminiſtration of juſtice between one man and another, *property was rendered ſo precarious*, that the poſſeſſion of it could not afford any conſiderable *enjoyment*.—But it was always attended with *extreme inconvenience*.—The *wealthy man* lay at the mercy of every invidious accuſer who might traduce his character, and

[a] Life of Lyſias. [b] Lyſias concerning the goods of Ariſtoph.
[c] Lyſias, ibid. et paſſim.

arraign

arraign his conduct.—Before he entered on the different offices, which he was obliged to undertake, the whole tenour of his behaviour, public and private, was carefully examined by his country[a].—After he had executed theſe offices, he was called to *a ſtrict account* of his adminiſtration; and, till he had ſatisfied his judges in that particular, he could neither alienate, nor remove, any part of his fortune; he could not travail into foreign countries; and the loſs of liberty was added to complete the ſum of his misfortunes[b].—It was diſputed at Athens, not without reaſon, whether the condition of the *rich* or *poor* was the moſt diſagreeable; and *general opinion gave it againſt the rich*, though they themſelves, from the avarice natural to man, were often unwilling to be diveſted of thoſe poſſeſſions which only expoſed them to innumerable hardſhips[c].

When we conſider the unhappy ſituation of this claſs of citizens, it is not to be ſuppoſed that they bore any ſincere affection to the government under which they lived.—They found it neceſſary, indeed, to aſſume the appearance, and to employ the cant, of patriotiſm, on all public occaſions.—"The ſureſt revenue of the ſtate

[a] Lyſias againſt Evander. [b] Æſchines in Cteſiphont.
[c] Xenophon. Sympoſ.

conſiſts in the generoſity of its ſubjects."—"I will employ my fortune more for the ſervice of my country, than if it were thrown into the Exchequer[a]."—*While they endeavoured to deceive the public by ſuch magnificent pretences, the ſpirit of their government led them to conceal, to deny their riches; and, as in countries where the worſt ſpecies of deſpotiſm prevails, to cover under the veil of poverty the real affluence of their condition*[b].—It appears that they were even extremely indifferent about THAT LIBERTY, on which they are commonly thought to have placed ſo high a value[c]. Lyſias mentions it as a maxim univerſally acknowledged, that no man was naturally more inclined to one form of government than to another; and that *private intereſt* was the ſole foundation of all political conteſts.—Every citizen, indeed, ſupported with extraordinary intrepidity *the party* which he had

[a] Lyſias in defence of a citizen accuſed of receiving a bribe from the enemy.

[b] Demoſth. de claſſ. Iſocrates on reforming the government of Athens.

[c] As to me, I excuſe in the populace their attachment to democracy, becauſe it is pardonable in every man to procure to himſelf perſonal advantages; but he who is not a citizen of Athens, and yet loves better to eſtabliſh himſelf in a democratic ſtate, than one where the authority is in fewer hands, is to a certainty a man of bad intentions, who perceives that it is eaſier in ſuch a ſtate, for a rogue to go unpuniſhed, and to evade the laws where democracy reigns, than under a more reſtricted form of government.—XENOPHON.

embraced,

embraced, becauſe *ſlavery* or *death* were the natural conſequences of a defeat.—In domeſtic diſſenſions, therefore, as well as in foreign wars, the Greeks gave illuſtrious examples of courage and force of mind, gallantry in enterpriſe and perſevering vigour in execution, qualities, in which men familiariſed to danger will commonly excel.—But theſe virtues they diſplayed ſometimes in defence of one ſyſtem of government, and ſometimes in defence of another.—*The ſame perſons often changed ſides, as intereſt directed*[a]; *they had no conſiſtency of character; and if we examine the general behaviour of thoſe who are moſt diſtinguiſhed by particular acts of patriotiſm, we ſhall find that it by no means correſponds to the ideas commonly entertained of them.*—THRASYBULUS is regarded as one of the moſt unblemiſhed characters of antiquity, and is celebrated by CICERO for having enjoyed the ſingular felicity of proving twice the ſaviour of his country. Yet THRASYBULUS is accuſed by his contemporaries *of receiving bribes; of accepting a ranſom from his priſoners, and afterwards detaining them in captivity; of betraying the ſhips which he commanded to the public enemy; and of committing many other crimes equally baſe and flagitious*[b].—It

[a] See Lyſias and Iſocrates paſſim.

[b] Lyſias againſt Evander.

is

is proved that, under *unjuſt pretences*, he frequently extorted money from the Athenian allies.—ERGOCLES, his friend, who had aſſiſted him in re-eſtabliſhing the democracy, and who had been an accomplice in many of his crimes, was impeached by LYSIAS, tried by the Athenian aſſembly, and condemned to death, after being ſtripped of the immenſe ſum of thirty talents, which he had amaſſed by injuſtice [a].—THRASYBULUS, by dying abroad, eſcaped a ſimilar proſecution, which would probably have terminated in as diſagreeable a puniſhment.

Few Athenians have been more generally admired than THERAMENES, who died rather than concur in the meaſures of the thirty tyrants [b].—XENOPHON records his ſayings in his laſt moments, when he diſplayed an alacrity and firmneſs of mind which deſerve not to be found in any character that is not *truly virtuous*.—But the puniſhment of THERAMENES, we are aſſured, was juſtly inflicted.—*He overturned the democracy; betrayed his country to the Lacedæmonians; and he is accuſed of breach of friendſhip, of perfidy, and of murder* [c].—After

[a] See Lyſias againſt Ergocles in the life of Lyſias.

[b] See introduction to the orations againſt Agoratus and Eratoſthenes.

[c] Lyſias againſt Eratoſthenes.

theſe

theſe patriots of the firſt magnitude, it is unneceſſary to mention more obſcure names;—to inſiſt on the inhumanity of THEOMNESTUS, the injuſtice of EVANDER, the treachery of the younger ALCIBIADES, the rapacity of PHILOCRATES, the cruelty of PHILO[a]; all of whom, though they pretended to the *higheſt political virtue*, and aſpired to the firſt offices of ſtate, *were convicted of crimes, which, in any modern country of Europe, would have ſubjected them to an infamous death.*

If ſuch was the character of too many of thoſe who were ſtyled the *better ſort* of people[b], it is not to be expected that their *inferiors in rank and fortune* ſhould have behaved *more honourably*.—The greater part of the Athenian citizens were reduced to extreme indigence[c]. —Although landed property was divided among more proprietors in Greece than in any modern country, *yet five thouſand citizens of Athens are ſaid to have enjoyed no immoveable poſſeſſions*.—Deſtitute of patrimony or income,

[a] The orations of Lyſias, paſſim. [b] Xenoph. De Repub. Athen.

[c] There is no ſtate where perſonal freedom is more tolerated than at Athens, both to ſlaves and ſtrangers. It is not permitted here to beat a ſlave, nor will he even give way to you on the road for you to paſs. I will ſhew *the ſource* of this local cuſtom. If the law ſuffered a free man to beat a ſlave, a ſtranger, or a freed man, *he might lay violent hands on a citizen of Athens, taking him for a ſlave; for here the populace are not better habited than the ſlaves or ſtrangers; they have no exterior diſtinction.*—ZENOPHON.

ſufficient to procure the means of a decent ſubſiſtence, they were *too lazy* to acquire them by their own induſtry. —MANY *led a liſtleſs inſignificant life, ſauntering about the public places, inquiring after news, ſatisfied with the gleanings of profit to be picked up in the courts of juſtice, or with the wretched ſubſiſtence allowed them by the treaſury —Their dreſs was frequently ſo mean and dirty, that it was difficult to diſtinguiſh them from ſlaves*[a].—" *And how is it poſſible,*" adds ISOCRATES, "*that thoſe who are deprived of the common neceſſaries of life, ſhould give themſelves any trouble about the government?*"—We find, accordingly, that they were exceedingly *ill-qualified* for executing thoſe offices with which they were too often entruſted. —As they had in a great meaſure engroſſed the adminiſtration of juſtice, it was not uncommon at Athens to bribe the clerks employed in tranſcribing the laws of Solon, to abridge, interpolate, and corrupt them.— What is ſtill more extraordinary, ſuch a groſs device frequently ſucceeded; nor was the artifice diſcovered until the parties came into court with contradictory laws[b].

This loweſt claſs of Athenian citizens, which, as we learn from Iſocrates[c], was by far the moſt numerous,

[a] Xenoph. de repub. Athen. [b] Life of Lyſias.
[c] Oration on reforming the Government of Athens.

endeavoured to alleviate the miſery of their condition by a very criminal conſolation.—They perſecuted their ſuperiors, baniſhed them their country, confiſcated their eſtates, and behaved with unexampled licentiouſneſs in the public aſſemblies[a].—It has been ſaid, that though they were entitled to the firſt offices of ſtate, they ſeldom attempted to obtain them[b].—But this obſervation is only true when confined to offices attended *with expence.—When any profit could be reaped, they were ever ready to graſp it.*—The management of the exchequer was the moſt *lucrative* employment in the republic; and to be entruſted with this charge, was the *high ambition* of all the popular demagogues.—Yet we have a liſt of treaſurers, regularly ſucceeding one another, who were raiſed to this confidential office from the meaneſt ranks in life.—*Low cunning and noiſy impudence elevated* EUCRATES, *a ſeller of wool, to this important ſtation.—He was ſucceeded by* LYSICLES, *a dealer in cattle, who excelled him in theſe accompliſhments.*—HYPERBOLUS, *a maker of lamps, adding profligate debauchery to his other eminent qualities, was taken into high favour; but every competitor gave way to the matchleſs effrontery and bare-faced lies of* CLEON, *a*

[a] Iſocrates on the Peace. [b] L'Eſprit des Loix, b. i.

currier, and the ſon of a man who had long exerciſed the ſame liberal profeſſion [a].—It appears, therefore, that although the Athenians were ſometimes directed by the juſtice of an ARISTIDES, the abilities of a PERICLES, or the virtue of a PHOCION, they more frequently liſtened to men of an oppoſite character [b].—*The moſt turbulent, diſſolute, and licentious, commonly prevailed in the aſſembly; and ſpecious qualities carried off the rewards due to real merit.*—ISOCRATES [c] aſſures us of the fact; and XENOPHON [d] affirms, that it is perfectly agreeable to the nature and principles of the Athenian conſtitution [e].—From

[a] Ariſtoph. Equit. et Veſp.

[b] I can poſitively aſſert, ſays Zenophon, that the people of Athens know very well who are the virtuous, and who are the factious citizens; but from this knowledge it reſults, that they attach themſelves more to thoſe *who ſuit them*, whom they know are at *their diſpoſal*, however great their roguery. They thoroughly deteſt every one who poſſeſſes virtuous ſentiments, as they are perſuaded the virtue of their fellow citizens (far from being advantageous) will be prejudicial to *them*. If they protected *the moderate men*, they ſtrengthened a party the *moſt oppoſite* to their projects. For in any ſtate they are not men of the moſt exemplary character who favour popular caprice; on the contrary, they are ſupported by thoſe who are *the moſt factious*. And it is natural each have a kind of ſympathy of action, and the ſame principles bind them to each other.

[c] Oration on reforming the Government of Athens.

[d] De Repub. Athen.

[e] But the populace are never ſolicitous to obtain thoſe important employments, on which depend the ſole ſafety of the Republic, or that would threaten it

From the manners of thoſe elected into the firſt offices, we may diſcover the general character of the electors. —*It was a compound of cruelty, fraud, drunkenneſs, debauchery, and every vice degrading to human nature* [a].

The moſt miſerable and moſt numerous claſs of inhabitants in Athens, were THE SLAVES.—Theſe were treated with great ſeverity in all the Grecian republics. —Deprived of every privilege belonging to them as men, they were puniſhed, inſulted, and tormented, at the will of a capricious maſter.—It was even cuſtomary to afflict them with wanton and unprovoked cruelty, and to ſubject them, without any offence on their part, to ſtripes and blows; that every ſpark of ingenuous nature being extinguiſhed, they might be the better fitted for ſubmitting to an entire and unreſerved obedience.

Such was their general treatment over all Greece; but at SPARTA it was ſtill more intolerable.—As the citi-

it with any danger, whether theſe employs are lucrative or burthenſome; there are no perſons among the moſt numerous claſs of the people, who think they have intereſt enough to obtain the command of the different corps of infantry or cavalry; all of them know perfectly well, that it is their intereſt not to interfere in theſe eſtabliſhments, but to reſign them to more conſiderable citizens: *at the ſame time, there are* NONE *but will endeavour to procure the other principal employments in the Republic, from which they may derive emolument, and make their private fortune.*—XENOPHON.

[a] See Lyſias againſt Simon. Wound from Malice aforethought, &c.

zens

zens of that republic, when unemployed in war or political affairs, wholly addicted themſelves to hunting and other amuſements, the ground was cultivated, and all mechanical profeſſions exerciſed, by ſlaves only.—Theſe increaſed to ſuch a pitch, as to become formidable to the ſtate.—Hence they were watched with uncommon attention, and *murdered by way of ſport*, or *to inure the young Spartans to blood*; and when any danger ſeemed to ariſe from them, *butchered by thouſands, in a manner too ſhocking to be deſcribed*[a].—The conduct of the ATHENIANS with regard to their ſlaves was reckoned more gentle than that of any of their neighbours.—DEMOSTHENES aſſerts, that it was better to be a ſlave in Athens, than a denizen in many other republics[b].—But this is ſpoken like an orator; for he allows that his countrymen commonly preferred the evidence of ſlaves, which was always extorted *by torture*, as a more infallible method of diſcovering the truth, than the teſtimony of freemen[c].—LYSIAS frequently takes notice of the ſame barbarous practice.—The Athenian citizens were fond of wearing *long hair*, which was *therefore forbidden to ſlaves.—Theſe unhappy men were depreſſed by every other mortifying diſ-*

[a] Plut. in Lycurg. [b] Philip. II. [c] In Oniter.

tinction,

tinction, treated as creatures of an inferior ſpecies, and might be uſed, as LYSIAS *affirms, in any manner that ſeemed good to their maſters*[a].—Such was the boaſted gentleneſs of the Athenian inſtitutions; and the effects of them on the character of *maſters* and *ſlaves* were equally pernicious.—The *former*, being accuſtomed to treat with ſevere harſhneſs thoſe who were ſubject to their authority, could not be expected to entertain very humane ſentiments for their fellow-citizens. The *latter*, expoſed as they were to continual indignities, and degraded below the condition of human nature, became inſenſible to every manly feeling; and, governed by hatred, reſentment, malice, and all the worſt paſſions incident to the human frame, "they were always more deſirous of obtaining liberty by the deſtruction of their maſters, than by the merit of their own ſervices[b]."—HENCE THE MANNERS OF THE WHOLE NATION WERE TAINTED WITH A SAVAGE FEROCITY, OF WHICH IT IS NOT EASY, IN THE PRESENT AGE, TO FORM AN IDEA: AND EVEN THE BEST GREEK WRITERS, INFECTED BY THE GENERAL CONTAGION, DESCRIBE WITH A

[a] Wound from Malice aforethought.

[b] Life of Lyſias. Lyſias's Oration relative to a conſecrated Olive.

CALM,

CALM, UNFEELING INDIFFERENCE, SUCH ATROCIOUS BARBARITIES AS OUGHT NATURALLY TO EXCITE HORROR.

The hoſpitality of ancient times, which was deemed ſo important a virtue by private families [a], was little regarded by the public.—The *ſtrangers* who reſided in Athens, though extremely numerous, were reduced to a condition nearly reſembling that of emancipated ſlaves.—Poſſeſſed of perſonal freedom, they enjoyed no political or civil rights.—They had a patron indeed, who defended them from the injuries of others, but who was entitled to much deference and reſpect, and to many important ſervices, in return for the aſſiſtance which he afforded.—If they neglected to perform theſe ſervices, *their patron withdrew his protection*; *in conſequence of which, their whole property was confiſcated to the Athenian republic* [b].—Beſides this misfortune, which frequently befel them, they were obliged to pay *ten drachmas* [c] *annually to the exchequer*; and if they failed in making this acknowledgment at the appointed time, they were immediately *ſold as* SLAVES *by the officers of the revenue* [d].

[a] Aul. Gell. lib. v. c. 13.

[b] Lyſias againſt Philo.

[c] Heſychius.

[d] Demoſthen. Orat. 1. in Ariſtogit.

Before

Before this actually took place, they were, in one material point, on the ſame footing with thoſe ſubjected to domeſtic ſervitude.—*Strangers*, as well as *ſlaves*, were liable to be put to the queſtion, and to have their evidence extorted BY TORTURE[a].—As foreigners were more numerous in Athens than in any other of the Grecian ſtates, it is probable, that every where elſe they were treated ſtill more rigorouſly; and the ſituation of exiles, we may ſuppoſe, was ſtill more miſerable than that of other ſtrangers.—Hence the continual lamentations of thoſe who are in danger of *baniſhment*; *a penalty thought equal to death itſelf*[b].—Hence likewiſe we may obſerve the rigour of the Grecian laws, particularly THE OSTRACISM, which prevailed not only in Athens, but in all the democratical ſtates[c].—*By this inſtitution, any citizen deemed formidable on account of his power, his riches, or his eloquence, might be baniſhed during ten years, and reduced, of courſe, to the wretched condition above deſcribed*[d].

The wealth of individuals, in all the ſtates of Greece, was extremely inconſiderable, when compared with the

[a] Lyſias againſt Simon.

[b] Lyſias, paſſim.

[c] Ariſtot. Polit. lib. iii. c. 13.

[d] Plut. in Vit. Ariſtid.

opulence of the modern inhabitants of Europe.—The narrow circumſtances of the Athenians afford ſufficient evidence of the exceſſive poverty of their neighbours.—SOLON divided his fellow-citizens into four claſſes[a].—Thoſe of the firſt poſſeſſed as much land as was ſufficient to produce annually five hundred *medimni*[b] of grain; the eſtates of the ſecond produced three hundred; thoſe of the third, two hundred; and the loweſt claſs were either entirely deſtitute of immoveable property, or poſſeſſed ſuch ſmall ſhares of land as were of very inconſiderable value.—In the time of LYSIAS, there were no leſs than five thouſand citizens who had no landed eſtates[c]; and the farms cultivated by others could not afford them any better ſubſiſtence than that of the meaneſt cottagers[d].—The income indeed of a few great families much exceeded what was neceſſary, by the regulations of SOLON, to conſtitute them of the firſt claſs.—But even the richeſt Athenians were by no means poſſeſſed of what would be at preſent deemed a magnificent fortune.—The eſtate of CONON, who had

[a] Plut. in Solon. [b] Thirteen *medimni* are equal to fourteen buſhels.
[c] Lyſias. [d] Lyſias againſt the Exchequer.

been

been employed in many ſucceſsful expeditions againſt the enemies of his country, exceeded not 9000l. —That of Nicophemus, which the Athenians were at great pains to appropriate for the public ſervice, ſcarcely amounted to 4000l.—Hipponicus, who is called by Xenophon[a] and by Iſocrates[b] the richeſt of the Greeks, was not worth 38,000l., admitting the computation of thoſe who had an intereſt to exaggerate his wealth.—And even the ſplendid Alcibiades, whoſe magnificence is ſo highly extolled by all Greek writers, was never maſter of 20,000l.[c]—*Although we make allowance, therefore, for the high value of money in ancient times, we muſt ſtill entertain a very mean idea of Grecian opulence.*—The *wealthy few* enjoyed but *moderate fortunes*, while *by far the greater part lived in very ſtraitened and miſerable circumſtances.*

Agreeably to theſe obſervations, we may remark, in the deſcriptions of ancient writers, an extreme ſimplicity of manners in every thing relative to private life.—*The Grecian houſes, furniture, table, dreſs, were all of the*

[a] Œconom. [b] In defence of Alcibiades.

[c] Lyſias's Oration relative to the Goods of Ariſtophanes.

meaneſt kind. Their houſes commonly conſiſted of *two floors*, the *lower* of which was often employed as *a magazine* for holding the proviſions neceſſary for the family[a]. —In the habitations of the richer citizens, the apartments of the women were ſeparated from thoſe of the men, and the bath was frequently ſituated between them.—There is a ſtriking example in LYSIAS of the little value which the middling ranks of people put upon their dwellings.—*A man, rather in affluent circumſtances for an Athenian, ſucceeds to the houſe of his brother.—He continues in it a year, until the proviſions ſtored in the ground-floor are conſumed, and then abandons it to go elſewhere*[b].—The furniture of their houſes, excepting pictures and ſtatues (of which hereafter), appears to have been of the plaineſt kind.—The LACEDÆMONIANS made uſe of no other inſtruments but the *ſaw* and the *hatchet* in preparing their houſehold accommodations[c]. —Their more improved neighbours ſeem to have been ſo little acquainted with what the rudeſt nations in modern Europe regard as the conveniencies of life, that,

[a] Xenophon. Œconom. Lyſias againſt Eratoſth.

[b] Lyſias againſt Diogeiton. [c] Plut. in Lycurg.

even in latter times, they were ignorant of *the uſe of beds*, and were ſatisfied with repoſing on the ground[a].—*Their dreſs was entirely of woollen*, which originally coſt them very little; but *the dirtineſs of it* put them afterwards to a good deal of expence in the article of PERFUMES[b].—The Athenians indeed were much given to the pleaſures of the table, which XENOPHON conſiders as an effect of their extenſive commerce.—They imported, he ſays, the luxuries of ITALY, SICILY, CYPRUS, LYDIA, PONTUS, and PELOPONNESUS.—*But the greater part of the citizens*, as both XENOPHON[c] and ISOCRATES[d] obſerve, could not afford *theſe delicacies*; and they ſeldom pretended to give any *private entertainments*; they contented themſelves with *public feaſts*, which were celebrated with greater expence in proportion as the intervals between them were more diſtant.

Slavery, as it has been obſerved, prevailed over all Greece; but the ſlaves were principally occupied in arts, manufactures, or agriculture, and rarely employed as inſtruments of luxury or oſtentation.—Even the better

[a] Idem in Pelopid. [b] Lyſias, ibid. [c] De Repub. Athen.
[d] Diſcourſe on Reforming the Government of Athens.

ſort

ſort of people at Athens ſubmitted to the meaneſt domeſtic offices.—Their ordinary manner of life was extremely uniform.—Part of *every morning* was commonly ſpent in public acts of religion.—The bulk of citizens frequented, in *the forenoon*, the public aſſembly, or the different courts of juſtice.—Thoſe whoſe preſence was unneceſſary there, and who diſdained to be employed in any mechanical occupation, amuſed themſelves with their military exerciſes, ſauntered in the public walks, or loitered in the ſhops of muſicians, and other artiſts, in which they are ſaid to have thrown away the greateſt part of their time [a].

As *the morning* was dedicated to religion, and *the forenoon* to buſineſs, ſo *the evening* was the time of pleaſure and diſſipation.—*They had no great variety of thoſe amuſements which are found neceſſary in poliſhed ſocieties to divert languor, and to fill up the vacuities of a liſtleſs life.*—Games of hazard are always mentioned with ſuch diſgrace, that they muſt not have been in general uſe; and none but the moſt profligate and abandoned ſeem to have been much addicted to them [b].—The men ſupped

[a] Life of Lyſias. Iſocrates in Aerop. [b] Lyſias againſt Alcibiades, et paſſim.

apart

apart from the women: thoſe of better fortune commonly invited a few friends[a]; and THE BOTTLE appears to have formed a material part of the entertainment.—PLATO[b] allows the *free uſe of wine* in theſe convivial ſuppers; as nothing, he ſays, has a greater tendency to diſpoſe the mind to that benevolence which often terminates in friendſhip.—Even SOCRATES is repreſented drinking in LARGE GLASSES with Agathon and Ariſtophanes till *early in the morning*.—The converſation, on ſuch occaſions, was often lively and agreeable, but ſometimes as licentious as the debauchery was exceſſive[c]; and ſo little *aſhamed* were the Greeks of *their vices*, that they affected to practiſe them as duties of religion.—Their ſolemn feſtivals commonly ended with a ſupper, at which they thought themſelves obliged to *get drunk* in honour of the gods[d].—This circumſtance had, doubtleſs, its effect, in diſtinguiſhing their ſuperſtition from that of the eaſtern nations, from whom they had borrowed the moſt eſſential parts of their religious belief.—The worſhip of the EGYPTIANS was dark and gloomy; that of the GREEKS, gay and

[a] Lyſias againſt Eratoſthenes, p. 423. [b] Sympoſ.
[c] Idem, ibid. [d] Ariſtot. ad Nichom. lib. viii.

cheerful.

cheerful.—Even the Egyptian hymns were melancholy, and conſiſted of complaints and lamentations; but the Grecian ſolemnities concluded with ſongs of triumph and exultation [a].—It had been fortunate for the Greeks, had they confined their debaucheries to ſtated times of convivial merriment; BUT THEY FREQUENTLY INTOXICATED THEMSELVES AT ALL HOURS OF THE DAY; and their exceſſes in a vice peculiarly hurtful in a warm climate to the powers of the underſtanding, led them to commit *ſuch follies* and *abſurdities* as are ſcarcely to be credited [b].

From this ſhort deſcription of their manner of life, it is natural to conclude, that they had made but ſmall progreſs in the arts of ſociety.—Theſe flouriſh in cities, and the moſt poliſhed people of Greece much affected a country life.—XENOPHON's beautiful deſcription of rural happineſs, proves that he had felt its charms; and both THUCYDIDES [c] and ISOCRATES [d] aſſure us, that the Athenians of the firſt rank ſeldom lived in the city.—Hence *agriculture* was reckoned an honourable employ-

[a] Apuleius de genio Socratis.

[b] Lyſias, Wound from Malice. Againſt Simon, &c.

[c] Lib. ii. [d] In Arcopag.

ment;

ment; but the rules of it were little attended to, and leſs underſtood [a].—*Commerce* was ſtill more neglected.—That of the Athenians, though comparatively great, muſt have been extremely inconſiderable in itſelf.—There could be little competition between traders, when a ſhip often doubled the value of her cargo by a voyage from Athens to the Adriatic [b].—The ſpirit of induſtry was checked by the abſurd mode of taxation; *credit, the ſoul of commerce, was deſtroyed by the Grecian inſtitutions, which rendered property precarious*; and not only the public, but private perſons, were obliged to pay an exorbitant intereſt for the money which they had occaſion to borrow [c].

The wants and luxuries, however, of one climate are not the ſame with thoſe of another.—*A comfortable dwelling, abundance of the neceſſaries of life, and all thoſe domeſtic conveniencies which induſtry and commerce may procure, are deemed, in northern countries, eſſential to happineſs.—Deprived of the advantages which theſe objects afford, human life would be expoſed to innumerable hardſhips; and to obtain them in great plenty, and in high perfection, is, therefore, the main aim of induſtrious applica-*

[a] Xenophon. Œconom. [b] Lyſias againſt Diogeiton.

[c] Lyſias in Ariſtoph.

tion.—But in Greece, the ingenuity of man can impart few additions to the happy influence of the climate.—Nature, requiring little, has given almoſt all that ſhe requires; and art is leſs employed in warding off inconveniencies which are weakly felt, than in procuring delights which are highly reliſhed.—The pleaſures of the eye and the ear obtain a preference to other gratifications; and poetry, painting, muſic, ſtatuary, and eloquence, furniſh the moſt eſſential articles of luxury.—*Notwithſtanding the unhappy policies*, therefore, which prevailed in that country, and the inconſiderable progreſs of the Greeks in what are called the *uſeful arts*, they acquired unrivalled fame in thoſe which are merely *ornamental.*—*The rage of foreign war*, as well as *the turbulence of domeſtic faction*, both of which were deeply rooted in the nature of the Grecian inſtitutions, produced ſuch effects on the progreſs of refined arts, as could neither have been foreſeen nor expected.—The *former* encouraged *valour*, the *latter eloquence*; and wherever theſe qualities are called forth, and exerted in an eminent degree, talents, both military and civil, muſt attain a proportionable improvement.—The concurring influence of accidental cauſes promoted the ſame beneficial end, and favoured the dawning efforts of

Grecian genius.—A delightful climate, a picturesque country, an harmonious language, a poetical religion; the effect of these, singly, was great; but much greater when united; and conspiring harmoniously together, they operated not only with full force, but in proper direction.

When we contemplate, however, the high attainments of the nation in general, in all the *refined arts*, we examine their character in the most favourable light in which it can possibly be viewed.—*Their magnificence in public solemnities, religious processions, and theatrical entertainments*, followed as a natural consequence; and *these matters are continually insisted on by the fond admirers of antiquity*.—But it is evident, from what has been already observed in this discourse, that neither the general improvement of manners, nor the arts of conversation and society, kept pace with the progress of those splendid, but useless amusements; and if we consider the *treatment* and character of *the fair sex*, even among the most cultivated people of Greece, the same conclusion will be rendered still more apparent.

During the early ages of society, men are either employed in acquiring the means of subsistence, or in invading their enemies and repelling their attacks.—The

natural delicacy and timidity of women render them leſs qualified for theſe occupations.—Hence, among rude nations, they are treated with neglect, and often reduced into ſervitude.—But when civilization has been carried to a certain pitch; when arts, manufactures, and commerce, have made known the conveniencies and refinements of poliſhed life, talents of the agreeable kind come to be in general requeſt, and are ſoon univerſally eſteemed.—In all theſe, women are fitted by nature to excel.—The imperfections of their ſex gradually diſappear; they become the objects of affection, acquire reſpect, and aſſume that diſtinguiſhed ſtation in ſociety, which is not demanded with more juſtice on the one ſide, than yielded with readineſs on the other.

Theſe obſervations ſeem natural and obvious; and are juſtified, I believe, by the general hiſtory of mankind.—Yet they are not conformable to what actually took place in Greece.—Among the Athenians, a people famous indeed on account of their martial ſpirit, but unrivalled in the arts of peace, not more learned than polite, *according to the ideas of that age*, and diſtinguiſhed by an exceſſive paſſion for thoſe refined entertainments which prevail in poliſhed nations, and which they enjoyed in peculiar elegance and perfection, *the treatment*

of

of women was moſt ungenerous and unnatural.—Excluded from the public ſhows and amuſements, deprived even of the pleaſures of domeſtic ſociety, and ſcarcely venturing to open their lips in the preſence of their neareſt relations[a], *they were confined with the utmoſt rigour to the moſt retired apartments of the family, employed in the meaneſt offices, and conſidered in every reſpect rather as the ſervants than as the equals of their fathers or huſbands.—It was thought indecent for them to venture abroad, unleſs to accompany a funeral*[b], *to be preſent at a ſacrifice, or to aſſiſt at ſome other religious ſolemnity.—Even on theſe occaſions they were generally accompanied by perſons who watched their behaviour.—The moſt innocent freedom was conſtrued into a breach of modeſty; and their reputation, once ſullied by the ſmalleſt reproach, could never afterwards be retrieved.*

If ſuch ſeverities had been exerciſed againſt them from *that jealouſy* which often attends *a violent love*, and of which a certain degree is, perhaps, inſeparable from *a delicacy* in the paſſion between the ſexes, their condition, though not leſs miſerable, would have been leſs contemptible.—*But this could not be the caſe; the Athenians were utter ſtrangers to that refinement of ſentiment with*

a Lyſias againſt Diogeiton. b Lyſias, p. 420.

regard

regard to the fair ſex[c], *which renders them the objects of a timid but reſpectful paſſion.*—Married or unmarried, the Athenian women were kept in equal reſtraint; no pains were taken to render them, at any one period of their lives, *agreeable members of ſociety*; and their education was either *entirely neglected*, or confined, at leaſt, *to ſuch objects as, inſtead of elevating and enlarging the mind, tended only to humble and to debaſe it.*—The uncommon rigour with which they were confined, was not therefore with a view to promote their own advantage, but only to render them better qualified for thoſe ſervices which the Athenians required them to perform.

Though neither fitted for appearing with honour in ſociety, nor for keeping company with their huſbands, they were thought capable of ſuperintending their domeſtic œconomy, of acting as ſtewards in the family, and thus relieving the men from a multiplicity of *little cares*, which they conſidered as unworthy of their attention and unſuitable to their dignity.—The whole burden of ſuch neceſſary, but humble concerns, being impoſed on the women, their early treatment and firſt inſtructions were adapted to that *lowlife ſtate*, beyond which

[c] Lyſias, p. 435.

they

they could never afterwards aſpire.—Nothing was allowed to divert their minds from thoſe ſervile occupations, in which it was intended that their whole lives ſhould be ſpent; no liberal idea was preſented to their imagination, that might raiſe them above the mechanical and vulgar arts, in which they were ever deſtined to labour: above all, no liberty of thought or fancy was permitted them; the ſmalleſt familiarity with ſtrangers was deemed a dangerous offence, and any attachment beyond their own family, a heinous crime.—When they were fit for the ſtate of wedlock, which, in the climate of Greece, happened long before their reaſon and underſtanding had arrived at maturity, they were given in marriage by *their relations*, WITHOUT BEING CONSULTED ON THE SUBJECT; and by entering into this new ſituation, they only exchanged the ſevere guardianſhip of a father for the *abſolute government* of a huſband.—As the Athenians ſeldom married but from motives of *conveniency*, and at a more advanced period of life than is ordinary in other countries [a], their good-will and affection could only be excited by the birth of an heir, or gradually acquired by a careful œconomy and conſtant circumſpection [b].—

[a] Ariſtoph. Lyſiſtrat.

[b] Lyſias, p. 420.

Even

Even the laws of Athens favoured this unjuſt treatment of women, ſo inconſiſtent with all the rules of modern gallantry; and without attending to the condition of the fair ſex in that republic, it is impoſſible to underſtand the ſpirit of their laws.

SOCRATES is introduced in Xenophon's *Memorabilia*[a] converſing with ISCHOMACHUS, an Athenian citizen, who, by his good ſenſe and great worth, had obtained univerſal eſteem.—The philoſopher deſires to know, how he had acquired the favourable opinion of a people by no means famous for viewing one another's actions in the moſt advantageous light.—ISCHOMACHUS endeavours to ſatisfy him, by explaining in what manner he managed his family.—*His wife, he obſerves, is an excellent œconomiſt, or houſewife; and little thanks to herſelf; for he had taken care to form her to ſo uſeful an office.—She was married before fifteen years of age; and the chief attention beſtowed on her before that period, had conſiſted in allowing her to ſee as little, to hear as little, and to aſk as few queſtions as poſſible.—What ſhe knew, therefore, was next to nothing.—He began to inſtruct her, by ſaying, that it was the leaſt part of his deſign in marrying her to have a*

[a] Lib. v. De adminiſt. domeſtic.

bed-fellow;

bed-fellow; becauſe this might be eaſily obtained by far leſs trouble and formality.—His main object was to have a perſon, in whoſe diſcretion he could confide, who would take proper care of his ſervants and houſehold, and lay out his money uſefully and ſparingly.—Yet this ISCHOMACHUS, who directed *his wife* to *theſe gentle occupations*, had been at different times *trierarch*, had been appointed to execute ſeveral other of the *moſt expenſive offices in the ſtate*, and was reckoned *exceedingly rich*[a].—*By ſuch ungenerous treatment were the moſt amiable part of the human ſpecies degraded, among a people in many reſpects the moſt improved of all antiquity.—They were excluded from thoſe convivial entertainments and that ſocial intercourſe which Nature had fitted them to adorn.—Inſtead of leading the taſte and directing the ſentiments of men, their own value was eſtimated, like that of the moſt indifferent objects, only by the profit which they brought.—Their chief virtue was reſerve, and their point of honour, œconomy.*

Thus have I endeavoured to explain the inſtitutions and cuſtoms which prevailed in the Grecian ſtates, as well as the condition and character of the different claſſes which compoſed them.—I have not attempted to em-

[a] Lyſias, p. 409.

belliſh the portrait, much leſs to delineate an *ideal beauty*.—If there is any merit in the picture, it conſiſts in *its reſemblance to the original*.

But it would be injuſtice to theſe celebrated republics to omit an obſervation which is made by many Greek writers, and which is founded on undoubted truth.—When the Athenian[a] orators had excited the reſentment of their audience, by loading them with a multitude of reproaches, they often ſoothed their angry paſſions by talking of the glory of their anceſtors.—Athens, they aſſerted, was diſtinguiſhed above all cities in the world for producing men of an elevated and refined genius, fitted to excel alike in the career of arts and arms, and to command reſpect by the nobleſt virtues of the mind.—This, indeed, is the peculiar glory of all Greece, that, amidſt the turbulence of democratical faction, the general corruption, and ferocious barbarity of the times, *many characters were formed which do honour to human nature*.—For the moſt improved ſtate of ſociety is not always moſt favourable to the higheſt perfection of the individual: where the *fermentation* is moſt violent, the *pureſt ſpirits* are ſometimes extracted; and the boldeſt

[a] Iſoc. and Demoſth. paſſim.

and

and moſt creative geniuſes have flouriſhed in the rudeſt and leaſt cultivated ages.—*Theſe extraordinary men* were not carried along by the torrent of popular opinion; they were ſenſible of the vices and follies of their countrymen; they perceived the ſource of their errors, and foretold their effects.—On every ſubject they thought differently from the vulgar, and particularly on religion, government, and manners.

But it is not the object of this diſcourſe to deſcribe the *characters of great men*.—I have endeavoured to exhibit the *general manners of the people*; and, from the whole, it ſeems reaſonable to conclude, that, *if* theſe republicans excelled the modern inhabitants of Europe in mental vigour and abilities, *they fell ſhort of them in every indulgent and amiable virtue*: if they ſurpaſſed all mankind in ardour, eloquence, and the talents which are required on extraordinary occaſions, *they were little acquainted with the agreeable improvements of ordinary intercourſe and converſation*; and if they attained unrivalled perfection in the refined arts, *they were extremely deficient in thoſe which contribute to the comfort and happineſs of private life.*—Their beſt qualities were all of the *ſplendid* kind.—Their behaviour on the great theatre of war and politics excites *admiration*.—Their hiſtory exhibits a *pompous*

ſpectacle to poſterity.—But it appears more fortunate to have been a *ſpectator* than an *actor* in ſuch agitated and perplexing ſcenes; to have heard the ſtorm roar at a diſtance, than to have been expoſed to its violence [a].

[a] GILLIES.

SECT.

SECT. XXIV.

THE ROMAN REPUBLIC.

THE ROMANS, after having baniſhed their KINGS, appointed CONSULS *annually*; a circumſtance which contributed to raiſe them to ſo exalted a pitch.—In the lives of all princes there are certain periods of ambition, and theſe are afterwards ſucceeded by other paſſions, and even by indolence; but the commonwealth being governed by magiſtrates, who were changed *every year*, and who endeavoured to ſignalize themſelves in their employment, in the view of obtaining new ones, *ambition had not a moment to loſe*.—Hence it was that theſe magiſtrates were ever perſuading the ſenate *to ſtir up the people to war*, and pointed out to them new enemies every day.

This body (the ſenate) was inclined enough to do this of their own accord; for, being quite *tired* of the *complaints* and *demands of the people*, they endeavoured to remove the occaſion of their diſquiet, and to employ them in foreign wars.

Now, the *common people* were generally *pleaſed* with war, becauſe a method had been found to make it *beneficial to them*, by the judicious diſtribution that was made of the ſpoils.

Rome being a city in which neither trade nor arts flouriſhed, the ſeveral individuals had no other way of enriching themſelves but BY RAPINE.

In fine, thoſe citizens who ſtaid at home ſhared *alſo* in the fruits of the victory; for part of the conquered lands was confiſcated, and this was ſubdivided into *two* portions, *one* of which was ſold for the benefit of the public, and the *other* divided by the commonwealth among ſuch citizens as were but in poor circumſtances.

As the conſuls had no other way of obtaining the honour of a triumph than by a conqueſt or a victory, this made them ruſh into the field with unparalleled impetuoſity; they marched directly to the enemy, when force immediately decided the conteſt.

ROME was therefore engaged in an *eternal* and *ever-obſtinate war* [a].——Now, a nation that is always

[a] The more ancient Romans lived in perpetual war with all their neighbours: and in old LATIN, the term HOSTIS, expreſſed both a ſtranger and an

ways at war, and that too from the very frame and eſſence of its government, muſt neceſſarily *be deſtroyed*, or *ſubdue all other nations*; but theſe being ſometimes at war, and at other times in peace, could never be *ſo able* to invade others, nor ſo well prepared to defend themſelves.

By this means the *Romans* attained a perfect knowledge in the military arts: in tranſient wars moſt of *the examples are loſt*; peace ſuggeſts different ideas, and we forget not only our faults but even virtues.

Another conſequence of the maxim of waging perpetual war, was, that the *Romans* never concluded a peace

an enemy. This is remarked by CICERO; but by him is aſcribed to the humanity of his anceſtors, who ſoftened, as much as poſſible, the denomination of an enemy, by calling him by the ſame appellation which ſignified a ſtranger. *De Off.* lib. ii. It is, however, much more probable, from the manners of the times, that the ferocity of thoſe people was ſo great as to make them regard all ſtrangers as enemies, and call them by the ſame name. It is not, beſides, conſiſtent with the moſt common maxims of policy or of nature, that any ſtate ſhould regard its public enemies with a friendly eye, or preſerve any ſuch ſentiments for them as the ROMAN orator would aſcribe to his anceſtors. Not to mention, that the early ROMANS really exerciſed piracy, as we learn from their firſt treaties with CARTHAGE, preſerved by POLYBIUS, lib. iii. and conſequently, like the SALLEE and ALGERINE rovers, were actually at war with moſt nations, and a ſtranger and an enemy were with them almoſt ſynonymous.—HUME.

The *Romans* conſidered foreigners as enemies: *Hoſtis*, according to *Varro de Lingua Lat. lib.* 4. ſignified at firſt a foreigner who lived according to his own laws.—MONTESQUIEU.

but

but when they were victorious; and, indeed, to what purpoſe would it be to make an ignominious peace with one nation, and afterwards go and invade another?

In this view their pretenſions roſe always in proportion to their defeat; by this they *ſurpriſed* the conquerors, and laid themſelves under a *greater neceſſity* of conquering.

Being for ever obnoxious to the moſt ſevere vengeance, *perſeverance* and *valour* became *neceſſary virtues*: and theſe could not be diſtinguiſhed, among them, from ſelf-love, from the love of one's family, of one's country, and of whatever is deareſt among men.

The world in that age was not like the world in ours: voyages, conqueſt, traffic; the eſtabliſhment of mighty ſtates; the invention of poſt-offices, of the ſea-compaſs, and of printing; theſe, with a certain general polity, have made correſpondence much eaſier, and given riſe, among us, to an art, called by the name of POLITICS: every man ſees at one glance whatever is tranſacting in the whole univerſe; and if a people diſcover but ever ſo little ambition, all the nations round them are immediately terrified.

It was manifeſtly ſeen, during the ſhort time that the *tyranny* of the DECEMVIRS laſted, how much the aggrandizing

grandizing of *Rome* depended on its liberty.—The government ſeemed to have loſt the [a] ſoul which animated even to the minuteſt part of it.

There remained at that time but *two* ſorts of people in the city, *thoſe who ſubmitted to ſlavery*, and *thoſe who, for their own private intereſt, endeavoured to enſlave the reſt.*—The ſenators withdrew from *Rome* as from a foreign city; and the neighbouring nations did not meet with the leaſt reſiſtance from any quarter.

As the people of EUROPE, in this age, have very near the ſame arts, the ſame arms, the ſame diſcipline, and the ſame manner of making war; the prodigious fortune to which the ROMANS attained, ſeems incredible to us. Beſides, power is at this time divided ſo diſproportionably, that it is not poſſible for a petty ſtate to raiſe itſelf, merely by its own ſtrength, from the low condition in which Providence has placed it.

This merits ſome reflections, otherwiſe we might behold ſeveral events without being able to account for them; and for want of having a perfect idea of the *different ſituation of things*, we ſhould believe, in peruſing

[a] Theſe *Decemviri*, upon pretence of giving written laws to the people, ſeized upon the government. See *D. Halicarnaſſ. Lib.* 11.

antient hiſtory, that we view a ſet of men different from ourſelves.

Experience has ſhewn perpetually, that an *European prince* who has a million of ſubjects, cannot, without deſtroying himſelf, keep up and maintain above ten thouſand ſoldiers; conſequently, great nations only are poſſeſſed of armies.

But the caſe was different antiently with regard to COMMONWEALTHS: for this proportion between the ſoldiers and the reſt of the people, which is now as one to an hundred, might, in thoſe times, be, pretty near, as *one* is to *eight*.

The *avarice* of ſome particular perſons, and the *laviſh profuſeneſs* of others, occaſions the lands to become the property of a *few*; immediately arts are introduced to ſupply the reciprocal wants of the rich and poor; by which means there were but very few ſoldiers ſeen; for the revenues of the lands that had before been employed to ſupport theſe, are now beſtowed wholly on *ſlaves* and *artificers*, who adminiſter to the luxury of the new proprietors: and it is impoſſible that people of *this caſt* ſhould be *good ſoldiers*, they being *cowardly* and *abject*; already *corrupted* by the *luxury of cities*, and often by the *very art they profeſſed*; not to mention, that as they could

not

not properly call any country their own, and reaping the fruits of their induſtry in *every clime*, they had very little either *to loſe or keep*.

A MONARCHY is not dragged nearer to the brink of ruin, by the *tyranny* of a prince, than a COMMONWEALTH, by a *lukewarmneſs* and indifference for the general good.—The *advantage* of a *free ſtate* is, to have its revenues employed to better purpoſes, but where the reverſe of this happens! The *advantage* of a *free ſtate* is, to be free from favourites; but when the contrary is ſeen! And that inſtead of the friends and relations of a prince, *great fortunes* muſt be *amaſſed for* the *friends* and *relations* of *all perſons who have any ſhare in the government*; in this caſe an *univerſal ruin* muſt enſue; the laws are then eluded more dangerouſly, than when infringed by a *ſovereign prince*, who being always *the greateſt citizen in the ſtate*, is moſt concerned to labour at its preſervation.

During the courſe of mighty proſperity, in which it is uſual for mankind to *forget themſelves*, the SENATE *continued to act* with the *ſame depth of judgment*; and whilſt their armies were ſpreading an univerſal terror, they would not ſuffer thoſe to *riſe* who were once caſt to the ground.

A TRIBUNAL existed which judged *all nations*: at the close of every war it determined the *rewards* or *punishments* which every one had merited: it took away from the vanquished people part of their lands, and gave them to their allies, in which it did two things; it engaged in the interests of ROME, *princes* from whom they had *little to fear*, and *much to hope*; and they *weakened others* from whom they had nothing *to hope*, and every thing *to fear*.

In warring with an enemy they made use of their allies, but immediately *extirpated* the *destroyers*. PHILIP was overcome by the assistance of the ÆTOLIANS, who were *destroyed presently after*, for having joined themselves to ANTIOCHUS.—THIS KING was overcome by the assistance of the RHODIANS; but after the most conspicuous rewards had been bestowed upon them, they were *depressed for ever*, upon *pretence* that they had demanded to have a peace concluded with PERSIUS.

When the ROMANS were opposed by several enemies at the same time, *they* granted a truce to the *weakest*, who thought themselves happy in obtaining it; considering it as a great advantage, that their ruin had been suspended.

When

When *they* were engaged in a mighty war, the SENATE winked at wrongs of every kind, and ſilently waited the ſeaſon proper for chaſtiſement: if at any time a people *ſent them* the *offenders*, they refuſed to puniſh them, chuſing rather to conſider the *whole nation as guilty*, and to reſerve themſelves a USEFUL vengeance.

As they made their enemies ſuffer *inexpreſſible evils*, very few leagues were formed againſt them; for he who was at the greateſt diſtance from the danger, did not care to come near it.

For *this* reaſon *war was ſeldom denounced againſt them*, but themſelves always made it at a ſeaſon, in the manner, and with a people, as beſt ſuited their intereſt; and among the great number of nations they invaded, there were very few but would have ſubmitted to injuries of every kind, provided they could but be ſuffered to live in peace.

As it was uſual for them to deliver themſelves always in a magiſterial way, ſuch ambaſſadors as they ſent to nations who had not yet felt the weight of their power, were ſure to meet with *ill treatment*, which furniſhed them with a ſure [a] pretence to engage in a new war.

[a] See an example of this, in their war with the *Dalmates*. See *Polybius*.

As

As they never concluded a peace with ſincerity and integrity, and intended a general invaſion, their *treaties* were properly but ſo many SUSPENSIONS FROM WAR; they inſerted ſuch conditions in them, as always paved the way to the ruin of thoſe ſtates who accepted them: they uſed to ſend the garriſons out of the ſtrong-holds; they regulated the number of the land forces, or had the horſes and elephants delivered up to them; and, in caſe this people were powerful at ſea, they obliged them to burn their ſhips, and ſometimes to remove higher up in the country.

After having deſtroyed the armies of a prince, *they drained his treaſury*, by impoſing a heavy tribute, or taxing him immoderately, under colour of making him defray the expence of the war: *a new ſpecies of tyranny, which obliged him to oppreſs his ſubjects, and thereby loſe their affection.*

Whenever they granted a peace to ſome prince, they uſed to take one of his brothers or children *by way of hoſtage*, which gave them an opportunity of raiſing, at pleaſure, commotions in his kingdom: when they had the *next heir* among them, it was their cuſtom to intimidate the *poſſeſſor:* had they only a prince of a remote degree,

degree, they made uſe of him to foment the inſurrections of the populace.

Whenever *any prince* or *any people* had *withdrawn from their allegiance*, they immediately indulged them with the title of [a] *Ally* to the ROMANS; and by this means they became ſacred and inviolable; *ſo that there was no monarch, how formidable ſoever, who could rely one moment upon his ſubjects, or even upon his own family.*

Although the title of their ally was a kind of ſervitude, it [b] yet was very much ſought after; for thoſe who enjoyed it were ſure to receive *no injuries but from them*, and had reaſon to flatter themſelves they would be leſs grievous; hence nations and kings were ready to undertake any kind of ſervices, and ſubmitted to the meaneſt and moſt groveling acts, merely for the ſake of obtaining it.

When they permitted any cities the enjoyment of their liberties, they immediately *raiſed two* [c] *factions in them, one* of which defended the laws and liberties of the country, whilſt the *other* aſſerted, that the will of the

[a] See particularly their Treaty with the *Jews* in the *1ſt* Book of the *Maccabees, ch.* 8.

[b] *Ariarathes* offered a ſacrifice to the gods, ſays *Polybius*, by way of thanks for having obtained their alliance.

[c] See *Polybius* on the Cities of *Greece.*

Romans was the only law; and as the latter faction was always the moſt powerful, it is plain ſuch a liberty could be but a mere name.

They ſometimes poſſeſſed themſelves of a country upon *pretence* of being *heirs* to it: they entered *Aſia*, *Bithynia*, and *Libya*, by the laſt wills of ATTALUS, of NICOMEDES[a], and of APPION; and *Egypt* was enſlaved by that of the king of CYRENE.

To keep *great princes* for ever in a *weak condition*, they would not ſuffer them to conclude an alliance with thoſe nations to whom they had granted theirs[b], and as they did not refuſe it to any people who bordered upon a powerful prince, this condition, inſerted in a treaty of peace, deprived him of all his allies.

Beſides, when they had overcome any conſiderable prince, one of the articles of the treaty was, that he ſhould not make war, upon account of any feuds of his own, with the allies of the *Romans* (that is to ſay, generally with all his neighbours); but ſhould ſubmit them to *arbitration*, which deprived him of a military power for the time to come.

And in order to keep the ſole poſſeſſion of it in their own hands, they bereaved their very allies of this force;

[a] The ſon of *Philopator*.

[b] This was *Antiochus*'s caſe.

the

the inſtant theſe had the leaſt conteſt, they ſent ambaſſadors, who obliged them to conclude a peace: we need but conſider the manner in which they terminated the wars of ATTALUS and PRUSIAS.

When any prince had gained ſuch a conqueſt as *had exhauſted him*, immediately a ROMAN ambaſſador came and *wreſted it out of his hands:* among a multitude of examples, we may remember how they, with a ſingle word, drove ANTIOCHUS out of *Egypt*.

When they ſaw *two nations* engaged in *war*, although *they were not in alliance*, nor had any conteſt with either of them, they nevertheleſs appeared upon the ſtage of action, and, like our knight-errants, always ſided with the *weakeſt:* it was an [a] antient cuſtom, ſays *Dionyſius Halicarnaſſus*, for the *Romans* to grant ſuccour to all who came to implore it.

THESE CUSTOMS OF THE ROMANS WERE NOT CERTAIN PARTICULAR INCIDENTS, WHICH HAPPENED BY CHANCE, BUT WERE SO MANY INVARIABLE PRINCIPLES; AND THIS IS EASY TO PERCEIVE, FOR THE MAXIMS THEY PUT IN PRACTICE AGAINST THE GREATEST MONARCHS WERE EXACTLY THE SAME

[a] A fragment of *Dionyſius*, copied from the extract of embaſſies, made by *Conſtantine Porphyrogenneta*:

WITH THOSE THEY HAD EMPLOYED, IN THEIR INFANT STATE, AGAINST THE LITTLE CITIES WHICH STOOD AROUND THEM.

Whenever there happened *any feud in a ſtate*, they immediately judged the affair, and thereby were ſure of having *that party only* whom they *condemned* for their *enemy*.—If *princes* of the *ſame blood* were *at variance for the crown*, they ſometimes declared them *both kings*, and by this means cruſhed the power of both: If *one of them* was a [a] *minor*, they declared in *his favour*, and made themſelves *his guardians* in quality of protectors of the world; for they had carried matters to ſo high a pitch, that nations and kings were their ſubjects, without knowing directly upon *what right* or *title*; it being a maxim, that the bare hearing of their names was ſufficient for a people to acknowledge them their ſovereigns.

When any ſtate compoſed too formidable a body from its ſituation or union, they never failed *to divide it*.—The republic of ACHAIA was formed by an *aſſocation* of free cities; the ſenate declared, that *every city* ſhould from that time be governed by its own laws, *independent* on the *general authority*.

[a] To enable themſelves to ruin *Syria*, in quality of guardians, they declared in favour of the ſon of *Antiochus*, who was but a child, in oppoſition to *Demetrius* who was their hoſtage, and conjured them to do him juſtice, crying, that *Rome* was his mother, and the *ſenators* his fathers.

The

The commonwealth of *Bœotia* roſe likewiſe from a league made between ſeveral cities; but, as in the war of PERSEUS, *one city* declared for *that prince*, and *others* for the *Romans*, the *latter* received them into favour when the common alliance was diſſolved.

Macedonia was ſurrounded by inacceſſible mountains: the ſenate divided it into *four parts*; declared thoſe *free*; prohibited them every kind alliance among *themſelves* by marriage; carried off *all the nobles* into *Italy*, and by that means reduced this power to nothing.

The ROMANS never engaged in *far-diſtant wars*, till they had firſt made an alliance with ſome power *contiguous* to the enemy they invaded, who might unite his troops to the army they ſent; and as this was never conſiderable with regard to numbers, they always had [a] another in that province which lay neareſt the enemy, and a third in *Rome*, ever ready to march at a moment's warning.—In this manner they never hazarded but a ſmall part of their forces, whilſt their enemy ventured all his.

They ſometimes inſidiouſly abuſed the ſubtlety of the words of their language: they deſtroyed *Carthage* upon pretence that they had promiſed to preſerve the *civitas*,

[a] This was their conſtant practice, as appears from hiſtory.

not the *urbs*[a].—It is well known in what manner the *Ætolians*, who had abandoned themſelves to their faith, were impoſed upon; the *Romans* pretended that the ſignification of theſe words, *abandon one's ſelf to the faith of an enemy*, impiled the loſs of all things; of perſons, lands, cities, temples, and even of burial places.

The *Romans* would even go ſo far, as to give arbitrary explanations to treaties: thus, when they were reſolved to depreſs the *Rhodians*, they declared, that they had formerly given them *Lycia*, not by way of preſent, but as a friend and ally.

When one of their generals concluded a peace merely to preſerve his army, which was juſt upon the point of being cut to pieces, the ſenate, who did not ratify it, took advantage of this peace, and continued the war.—Thus when JUGURTHA had ſurrounded an army of *Romans*, and permitted them to march away unmoleſted, *upon the faith of a treaty*, theſe very troops he had ſaved were employed againſt him: and when the NUMANTINES had reduced *twenty thouſand Romans*, juſt periſhing with hunger, to the neceſſity of ſuing for peace; this peace, which had ſaved the lives of ſo many

[a] There is ſometimes this difference between *civitas* and *urbs*; the *former* ſignifies the *inhabitants*, the *latter* the *buildings*.

thouſand

thouſand citizens, *was broke at Rome*, and the *public faith* was eluded by [a] ſending back *the conſul* who had ſigned it.

They ſometimes would *conclude a peace* with a monarch upon *reaſonable conditions*, and the *inſtant he had executed them*, they *added others* of ſo injurious a nature, that he was forced to renew the war.—Thus, when they had forced JUGURTHA to [b] *deliver up his elephants*, his *horſes*, *his treaſures*, and *his deſerters*, they required him to ſurrender up *his perſon*, which being the greateſt calamity that can befall a prince, cannot for that reaſon be ever made an article of peace.

In fine, they ſet up *a tribunal* over kings, whom they judged for their particular vices and crimes: they heard the complaints of all perſons who had any diſpute with PHILIP: they ſent deputies with them by way of ſafeguard, and obliged PERSEUS to appear before theſe, to anſwer for certain murders and certain quarrels he had with ſome inhabitants of the confederate cities.

[a] After *Claudias Glycias* had granted the *Corſicans* a peace, the ſenate gave orders for renewing the war againſt them, and delivered up *Glycias* to the inhabitants of the iſland, who would not receive him.—Every one knows what happened at the *Furcæ Caudinæ*.

[b] They acted the ſame part with regard to *Viriatus*: after having obliged him to give up the deſerters, he was ordered to ſurrender up his arms; to which neither himſelf nor his army could conſent.—*Fragment of Dion.*

As

As men judged of the glory of a general by the quantity of the gold and ſilver carried in his triumph, the ROMANS *ſtripped the vanquiſhed enemy of all things—Rome* was for ever enriching itſelf; and every war they engaged in, enabled them to undertake a new one.

All the nations who were *either friends* or *confederates*, quite [a] *ruined themſelves* by the *immenſely rich preſents they made*, in order to procure the continuance of the favours already beſtowed upon them, or to obtain greater; and half the monies which uſed to be ſent upon theſe occaſions to the *Romans*, would have ſufficed to conquer them.

BEING MASTERS OF THE UNIVERSE, THEY ARROGATED TO THEMSELVES ALL THE TREASURES OF IT; AND WERE LESS UNJUST ROBBERS, CONSIDERED AS CONQUERORS, THAN CONSIDERED AS LEGISLATORS.—Hearing that PTOLEMY king of *Cyrus* was poſſeſſed of immenſe wealth, they [b] enacted a law, propoſed by a tribune, by which they gave to themſelves the inheritance of a man ſtill living, and confiſcated to their own uſe the eſtates of a confederate prince.

[a] The preſents which the ſenate uſed to ſend kings were mere trifles; as a chair and an ivory ſtaff, or a robe like to that worn by their magiſtrates.

[b] *Divitiarum tanta fama erat*, ſays *Florus*, *ut victor gentium populus, & donare regna conſultus, ſocii virique regis confiſcationem mandaverit.*—Lib. iii. c. 9.

In

In a little time the greedineſs of *particular perſons* quite devoured whatever had eſcaped the *public* avarice; magiſtrates and governors uſed to ſell their injuſtice to kings: two competitors would ruin one another, for the ſake of purchaſing an ever-dubious protection againſt a rival who was not quite undone; FOR THE ROMANS HAD NOT EVEN THE JUSTICE OF ROBBERS, WHO DISCOVER A CERTAIN PROBITY IN THE EXERCISE OF GUILT.—In fine, as rights, whether lawful or uſurped, were maintained by money only; princes, to obtain it, deſpoiled temples, and confiſcated the poſſeſſions of the wealthieſt citizens; a thouſand crimes were committed, purely for the ſake of giving to the ROMANS all the money in the univerſe.

BUT NOTHING WAS OF GREATER ADVANTAGE TO THIS PEOPLE THAN THE AWE WITH WHICH THEY STRUCK THE WHOLE EARTH: IN AN INSTANT, KINGS WERE PUT TO SILENCE, AND SEEMED AS THOUGH THEY WERE STUPID; NO REGARD WAS HAD TO THEIR EMINENCE, BUT THEIR VERY PERSONS WERE ATTACKED; TO HAZARD A WAR, WAS TO EXPOSE THEMSELVES TO CAPTIVITY, TO DEATH, TO THE INFAMY OF A TRIUMPH.—THUS KINGS, WHO LIVED IN THE MIDST OF POMPS AND PLEASURES, DID NOT DARE TO

FIX

FIX THEIR EYES STEDFASTLY ON THE ROMAN PEOPLE; AND THEIR COURAGE FAILING THEM, THEY HOPED TO SUSPEND A LITTLE THE MISERIES WITH WHICH THEY WERE THREATENED, BY THEIR PATIENCE AND GROVELING ACTIONS.

Obſerve, I intreat you, the conduct of the *Romans*.—After the defeat of *Antiochus* they were poſſeſſed of AFRICA, ASIA, and GREECE, without having ſcarce a ſingle city in theſe countries that were immediately their own.—They *ſeemed* to conquer with no other view but *to beſtow*; but then they obtained ſo complete a ſovereignty, that whenever they engaged in war with any prince, they oppreſſed him, as it were, with the weight of the whole univerſe.

The time proper for ſeizing upon the conquered countries was not yet come.—Had the *Romans* kept the cities they took from PHILIP, the *Greeks* would have ſeen at once into their *deſigns:* had they, after the ſecond *Punic* war, or that with ANTIOCHUS, poſſeſſed themſelves of lands in [a] AFRICA and in ASIA, they could never have preſerved conqueſts ſo ſlightly eſtabliſhed.

[a] They did not dare to venture their colonies in thoſe countries; but chole rather to raiſe an eternal jealouſy between the *Carthaginians* and *Maſſiniſſa*, and to make both thoſe powers aſſiſt them in the conqueſt of *Macedonia* and *Greece*.

It was the intereſt of the Romans to wait till all nations were accuſtomed to obey, as free and as confederate, before they ſhould attempt to command over them as ſubjects; and to let them blend and loſe themſelves, as it were, by little and little, in the Roman commonwealth.

This was *a ſlow way of conquering:* after overcoming a nation, they contented themſelves with weakening it; they impoſed ſuch conditions as conſumed it inſenſibly: if it recovered, they depreſſed it ſtill more, and it became ſubject, without there being a poſſibility of dating the æra of its ſubjection.

Whilſt ROME was conquering the world, a *hidden war* was carrying on within its walls: theſe were fires like thoſe of volcanos, which break out the inſtant they are fed by ſome combuſtible ſubſtance.

After the *expulſion of the kings*, the government became *ariſtocratical*: the patrician families, only, obtained all the employments and dignities in the [a] ſtate, and conſequently all honours civil and military.

The *patricians* being determined to prevent, if poſſible, the return of the kings, endeavoured to *foment the*

[a] The patricians were inveſted, in ſome meaſure, with a ſacred character, and they only were allowed to take the auſpices.—See in *Livy*, Book VI. the Speech of *Appius Claudius*.

reſtleſs principle which now prevailed in the minds of the people; *but they did more than they would willingly have done:* by attempting to inſpire them with a *hatred for kings*, they fired them with an *inordinate thirſt for liberty.* —As the royal authority had devolved entirely upon the conſuls, the people found they were far from poſſeſſing that liberty they were taught to idolize: they therefore ſought for methods by which they might depreſs the *conſulate*; and procure *Plebeian* magiſtrates; and ſhare the *Curules*, or greater employments, with the nobles.— The patricians were forced to comply with all the demands of the people; for in a city, where wealth, that clandeſtine path to power, was deſpiſed, neither birth nor dignities could beſtow any great advantages: it was therefore neceſſary for power to fall into the hands of the greater number, and for ariſtocracy to change by inſenſible degrees into a *popular ſtate.*

Thoſe who are ſubordinate to a king, are leſs tortured with envy and jealouſy than ſuch as live under an hereditary ariſtocracy: the prince is at ſo great a diſtance from his ſubjects that he is ſcarce ſeen by them, and is raiſed ſo far above them, that they cannot conceive any relation capable of giving them diſguſt: but when the nobles preſide in a ſtate, they are expoſed to the eyes of all

all men, and are not ſeated ſo high as to prevent odious compariſons from being made perpetually; and, indeed, *the people have deteſted nobles in this and in all ages.*—Such commonwealths in which birth does not beſtow any ſhare in the legiſlature, are the happieſt in *this reſpect*; for it is natural that the people ſhould not bear ſo much envy to an authority which they beſtow on whom they think proper and reſume at will.

The people being diſguſted at the patricians, withdrew to the ſacred hill (*Mons ſacer*), whither deputies being ſent, they were appeaſed: and as they all made a promiſe to aſſiſt one another, in caſe the patricians ſhould not perform their [a] engagement; which would have created ſeditions every moment, and diſturbed all the magiſtrates in the exerciſe of their functions, it was judged better to create an officer, [b] who might protect the people againſt any injuſtice that ſhould be done them: *but by a malady for ever incident to man, the plebeians, who had obtained* TRIBUNES *merely to defend them, employed thoſe very magiſtrates to annoy others*; ſo that they ſtripped, by inſenſible degrees, the patricians of all their privileges.—This gave riſe to everlaſting conteſts.—The PEOPLE were ſupported, or rather animated, by their *tribunes*; and

[a] *Zonaras*, Lib. II.

[b] Origin of the tribunes of the people.

the PATRICIANS were defended by the *ſenate*, the greateſt part of which conſiſted of patricians, who were more inclined to favour the ancient maxims, and afraid that the populace would raiſe ſome tribune to arbitrary power.

The *people* employed in the defence of this magiſtrate their own ſtrength, and the ſuperiority they had in the ſuffrages; their refuſal to march into the field; their threats to go quite away; the partiality of their laws; in fine, their ſentences pronounced againſt thoſe who had oppoſed them too vigorouſly; the *ſenate* defended themſelves by their wiſdom, their juſtice, and the love they inſpired for one's country; by their beneficence, and the prudent diſtribution of the treaſures of the commonwealth; by the veneration which the people had for the glory of the principal [a] families, and the virtue of illuſtrious perſonages; by religion itſelf, the ancient in-

[a] The people had ſo great a veneration for the chief families, that although they had obtained the privilege of creating plebeian military tribunes, who were inveſted with the ſame power as the conſuls, they nevertheleſs always made choice of patricians for this employment.—They were obliged to put a conſtraint upon themſelves, and to enact, that there ſhould ever be a plebeian conſul; and when any plebeian families were raiſed to employments in the ſtate, they afterwards were always carried: it was with difficulty that the people, notwithſtanding the perpetual deſire they had to depreſs the nobility, depreſſed them in reality; and when they raiſed to honours ſome perſon of mean extraction, as *Varro* and *Marius*, it coſt them very great ſtruggles.

ſtitutions,

ſtitutions, and the prohibition of days of public meeting, upon pretence that the auſpices had not been favourable; by their clients; by the oppoſition of one tribune to another; by the creation of a [a] dictator, the occupations of a new war, or the misfortunes and calamities which united all parties: in a word, by a paternal condeſcenſion, in granting the people part of their demands, purpoſely to make them relinquiſh the reſt; and by that ſtedfaſt maxim, of preferring the ſafety of the republic to the prerogatives of any order or public employment whatſoever.

In proceſs of time, when the plebeians had depreſſed the patricians to ſuch a degree, that this [b] diſtinction of families was empty and fruitleſs, and that both were indiſcriminately raiſed to honours, *new conteſts aroſe* between the populace, whom their tribunes ſpirited up, and the chief families, whether patrician or plebeian, which latter were ſtyled nobles, and were favoured by

[a] The patricians, to defend themſelves, uſed to create a dictator, which proved of the greateſt advantage to them; but the plebeians having obtained the privilege of being elected conſuls, could alſo be elected dictators, which quite diſconcerted the patricians.—See in *Livy*, Lib. viii. in what manner *Publius Philo* depreſſed them in his dictatorſhip.—He enacted three laws, by which they received the higheſt prejudice.

[b] The patricians referred to themſelves only a few offices belonging to the prieſthood, and the privilege of creating a magiſtrate called *Inter-rex*.

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the ſenate that was compoſed of them: but, as the ancient manners ſubſiſted no more; as particular perſons were poſſeſſed of immenſe wealth, and that it is impoſſible but wealth muſt give power; theſe nobles made a ſtronger reſiſtance than the patricians had done, *which occaſioned the death of the* GRACCHI, *and of* [a] *ſeveral perſons who followed their plan.*

I muſt take notice of an office which greatly diſtinguiſhes the polity of *Rome*; it was that of the *cenſors.*

M. LIVIUS [b] *cenſured* the *people themſelves*, and degraded *thirty-four tribes* out of the *thirty-five* to the rank of thoſe who had no ſhare in the privileges of the city; for *(ſaid this Roman) you firſt condemned me, and afterwards raiſed me to the conſulate and the cenſorſhip; you therefore muſt either have prevaricated once in puniſhing me, or twice, in creating me conſul and afterwards cenſor* [c].

Authors

[a] As *Satruninus* and *Glaucias.* [b] *Livy*, Lib. xxix.

[c] I am perſuaded (ſays the celebrated Spaniſh traveller, the Rev. Mr. TOWNSEND) that ours is, and that *none* but a *mixed government* can be *free.*—Under the Roman kings, the patricians and plebeians were not free; under the decemvirs, the plebeians were miſerably oppreſſed; the tribunes of the people, in their turn, ſacrificed the patricians; and when the power of the conſuls happened to balance that of the tribunes, every thing ſtood ſtill, or fell into ſuch anarchy and confuſion, that the conſuls were obliged to name a dictator

Authors enlarge very copiouſly on the *diviſions* which proved the deſtruction of *Rome*, but their readers ſeldom diſcover *thoſe diviſions to have been always neceſſary and inevitable.*—Diſſenſions were not to be prevented; and *thoſe martial ſpirits*, which were ſo *fieree* and *formidable abroad*, could not be habituated to any *conſiderable moderation at home.*—Thoſe who expect in a free ſtate to ſee *the people undaunted in war, and puſillanimous in peace*, are certainly deſirous of *impoſſibilities*; and it may be advanced as a general rule, that whenever a *perfect calm is viſible*, in a ſtate that calls itſelf a *republic*, THE SPIRIT OF LIBERTY NO LONGER SUBSISTS.

Union, in a body politic, is a very equivocal term: *true union* is ſuch a harmony as makes all the particular parts, as oppoſite as they may ſeem to us, concur to the general welfare of the ſociety, in the ſame manner as *diſcords* in muſic contribute to the general melody of ſound.—*Union* may prevail in a ſtate full of ſeeming commotions; or, in other words, there may be an harmony from whence reſults proſperity, which alone is true peace, and may be conſidered in the ſame view as the various parts of this univerſe, which are eternally

for the time, with deſpotic power.—Theſe ever have been, and ever muſt be, the miſerable effects of power, when not *properly balanced*, as in *the conſtitution of our government.*—*Vide* Free Thoughts on Deſpotic Governments.

connected

connected by the *operations* of ſome, and the *reactions* of others.—Hence the *oppoſition party* is no defect in the conſtitution of the BRITISH GOVERNMENT, unleſs it be deſirous of *ſubverting* the *mixed form*.

I am of opinion that the ſect of *Epicurus*, which began to be propagated at *Rome* towards the cloſe of the republic, was very prejudicial to the minds and genius of the people[a].—The *Greeks* had been infatuated with its doctrines long before, and conſequently were corrupted much *earlier* than the *Romans*.—We are aſſured by *Polybius*, [b] that *oaths*, in his time, could not induce any perſon to place confidence in a GREEK, whereas they were conſidered by a *Roman* as inviolable obligations upon his conſcience.

There is a paſſage in one of *Cicero*'s *letters* to [c] *Atticus*, which manifeſtly diſcovers how much the *Romans had degenerated in this particular* ſince the time of *Polybius*.

[a] *Cyneas* having diſcourſed of the doctrines of this ſect at the table of *Pyrrhus*, *Fabricius* ſaid, he wiſhed the *enemies* of *Rome* would all embrace ſuch kind of principles.—Life of *Pyrrhus*.

[b] If you lend a talent to a *Greek*, and bind him to the repayment, by ten engagements, with as many ſecurities, and witneſſes to the loan, it is impoſſible to make them regard their word; whereas, among the *Romans*, whether it be owing to their obligation of accounting for the public and private money, they are always punctual to the oaths they have taken.—For which reaſon, the apprehenſions of infernal torments were wiſely eſtabliſhed, and it is altogether irrational to oppoſe them at this time.—*Polyb.* l. vi.

[c] Lib. iv. let. 18.

MEMMIUS

MEMMIUS (ſays he) imparted to the ſenate the agreement *he* and his *fellow-candidate* had made with the *conſuls*, by which *theſe* ſtipulated to favour the *others* in their ſolicitations for the conſulſhip the enſuing year; and *theſe* obliged themſelves to pay four hundred thouſand ſeſterces to the conſuls, if they did not furniſh them with *three augurs*, who ſhould declare they themſelves were preſent when the PEOPLE MADE THE CURIATIAN LAW[a], *though in reality it had not been enacted*; and *two former conſuls*, who ſhould affirm *they* had aſſiſted at ſigning the EDICT OF THE SENATE WHICH REGULATED THE STATE OF THE PROVINCES ASSIGNED TO THE PRESENT CONSULS, *notwithſtanding no ſuch edict was in being*.—What an admirable ſet of people do we diſcover in a ſingle contract!

The grandeur of the ſtate, in general, conſtituted *the greatneſs of its particular members*; but as AFFLUENCE conſiſts in *conduct*, and not in *riches*; that wealth of the *Romans*, which had *certain limitations*, introduced a luxury and profuſion which had *no bounds*.—Thoſe who

[a] The *Curiatian* law diſpoſed of the military power, and the edict of the ſenate regulated the troops, the money, and officers, that were to be allotted to the governors: now *the conſuls*, in order to accompliſh theſe particulars to their own ſatisfaction, contrived a *falſe law* and a *falſe edict of the ſenate*.

had been at firſt corrupted by their opulence, received the ſame taint in their *poverty*, by *aſpiring after acquiſitions that no way comported with private life*; it was difficult to be a GOOD CITIZEN under the influence of ſtrong deſires and the regret of a large fortune that had been loſt: people, in this ſituation, were prepared for any deſperate attempt; and, as *Saluſt* [a] ſays, there was, at THAT TIME, a generation of men, who, as they had no patrimony of their own, could not endure to ſee others more proſperous than themſelves [b].

The chief difference between the *domeſtic* œconomy of the ancients and that of the moderns conſiſts in the practice of SLAVERY, which prevailed among the former, and which has been aboliſhed for ſome centuries throughout the greateſt part of EUROPE.—Some paſſionate admirers of the ancients cannot forbear regretting the loſs of this inſtitution; and whilſt they brand all ſubmiſſion to the government of a ſingle perſon with the harſh denomination of Slavery, they would gladly reduce the greateſt part of mankind to *real* ſlavery and ſubjection.—

[a] *Ut merito dicatur genitos eſſe, qui nec ipſi habere poſſent vos familiares, nec alios pati.*—Fragment of *Saluſt*, cited by *Auguſtin* in his book of *The City of God*, Lib. ii. c. 18.—See alſo CATALINE's ſpeech againſt the *nobles* and *rich men* of the ſtates. [b] Monteſquieu.

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But to one who conſiders coolly on the ſubject it will appear, that human nature, in general, really enjoys *more liberty at preſent, in the moſt arbitrary government of Europe*, than it ever did during the moſt *flouriſhing period of ancient times.*—As much as ſubmiſſion to a petty prince, whoſe dominions extend not beyond a ſingle city, is more grievous than obedience to a great monarch; ſo much is domeſtic ſlavery more cruel and oppreſſive than any civil ſubjection whatſoever.—The more the maſter is removed from us in place and rank, the greater liberty we enjoy; the leſs are our actions inſpected and controlled; and the fainter that cruel compariſon becomes between our own ſubjection, and the freedom, and even dominion of another.—The remains which are found of domeſtic ſlavery in the AMERICAN colonies, and among ſome EUROPEAN nations, would never ſurely create a deſire of rendering it more univerſal.—*The little humanity*, commonly obſerved in perſons accuſtomed from their infancy to exerciſe ſo great authority over their fellow-creatures, and to trample upon human nature, were *ſufficient alone* to diſguſt us with that unbounded dominion.—*Nor can a more probable reaſon be aſſigned for the ſevere, I might ſay, barbarous manners of ancient times, than the practice of domeſtic ſlavery; by which*

every man of rank was rendered a petty tyrant, and educated amidſt the ſubmiſſion and low debaſement of his ſlaves.

The cuſtom of expoſing *old*, *uſeleſs*, or *ſick ſlaves*, in an iſland of the TYBER, there to ſtarve, ſeems to have been *pretty common* in ROME; and whoever recovered, after having been ſo expoſed, had his liberty given him, by an edict of the emperor CLAUDIUS; where it was likewiſe forbidden to kill any ſlave merely for old age or ſickneſs [a].—But ſuppoſing that this edict was ſtrictly obeyed, would it better the domeſtic treatment of ſlaves, or render their lives much more comfortable? We may imagine what others would practiſe, when it was the profeſſed maxim of the elder CATO, to ſell his ſuperannuated ſlaves for any price, rather than maintain what he eſteemed a uſeleſs burden [b].

The ERGASTULA, or dungeons, where ſlaves in chains were forced to work, were very common all over *Italy*.—COLUMELLA [c] adviſes, that they be always built under ground; and recommends [d] it as the duty of a careful overſeer, to call over every day the names of theſe ſlaves, like the muſtering of a regiment or ſhip's company, in

[a] SEUTONIUS in vita CLAUDII. [b] PLUT. in vita CATONIS.
[c] Lib. i. c. 6. [d] Id. lib. xi. c. 1.

order

order to know preſently when any of them had deſerted. As a proof of the frequency of theſe *ergaſtula*, and of the great number of ſlaves uſually confined in them, SICILY, ſays FLORUS[a], was full of *ergaſtula*, and was cultivated by labourers in chains.—EUNUS and ATHENIO excited the ſervile war, by breaking up theſe monſtrous priſons, and giving liberty to 60,000 ſlaves.—The younger POMPEY augmented his army in *Spain* by the ſame expedient[b].

SENECA, when drawing a picture of that diſorderly luxury which changes day into night, and night into day, and inverts every ſtated hour of every office in life, among other circumſtances, ſuch as diſplacing the meals and times of bathing, mentions, that, regularly about the third hour of the night, the *neighbours* of one, who indulges this falſe refinement, *hear the noiſe of whips and laſhes*; and, upon enquiry, find that he is *then* taking an account of the conduct of his ſervants, and giving them due correction and diſcipline.—This is not remarked as *an inſtance of cruelty*, but *only of diſorder*, which, even in actions the moſt uſual and methodical, changes the fixed hours that an eſtabliſhed cuſtom had aſſigned for them.

[a] Lib. iii. c. 19. [b] Id. lib. iv. c. 8.

The

The term for a ſlave, born and bred in the family, was VERNA[a]; and theſe ſlaves ſeem to have been entitled by cuſtom to privileges and indulgences beyond others; a ſufficient reaſon why the maſters would not be fond of rearing many of that kind[b].—It is well known that DEMOSTHENES,

[a] As *ſervus* was the name of the genus, and *verna* of the ſpecies, without any correlative, this forms a ſtrong preſumption that the latter were by far the leaſt numerous.—It is an univerſal obſervation which we may form upon language, that where two related parts of a whole bear any proportion to each other, in numbers, rank, or conſideration, there are always correlative terms invented, which anſwer to both the parts, and expreſs their mutual relation.—If they bear no proportion to each other, the term is only invented for the leſs, and marks its diſtinction from the whole.—Thus *man* and *woman*, *maſter* and *ſervant*, *father* and *ſon*, *prince* and *ſubject*, *ſtranger* and *citizen*, are correlative terms: but the words *ſeaman*, *carpenter*, *ſmith*, *taylor*, &c. have no correſpondent terms, which expreſs thoſe who are no ſeaman, no carpenter, &c.—Languages differ very much with regard to the particular words where this diſtinction obtains; and may thence afford very ſtrong inferences concerning the manners and cuſtoms of different nations.—The military government of the ROMAN emperors had exalted the ſoldiery ſo high, that they balanced all the other orders of the ſtate: hence *miles* and *paganus* became relative terms; a thing, till then, unknown to ancient, and ſtill ſo to modern languages.—Modern ſuperſtition exalted the clergy ſo high, that they overbalanced the whole ſtate: hence *clergy* and *laity* are terms oppoſed in all modern languages; and in theſe alone.—And from the ſame principles I infer, that if the number of ſlaves bought by the ROMANS from foreign countries, had not extremely exceeded thoſe bred at home, *verna* would have had a correlative, which would have expreſſed the former ſpecies of ſlaves.—But theſe, it would ſeem, compoſed the main body of the ancient ſlaves, and the latter were but a few exceptions.

[b] *Verna* is uſed by ROMAN writers as a word epuivalent to *ſcurra*, on account of the petulance and impudence of thoſe ſlaves.—MART. lib. i. ep. 42.

—HORACE

DEMOSTHENES, in his nonage, had been defrauded of a large fortune by his tutors, and that afterwards he recovered, by a proſecution at law, the value of his patrimony.—His orations, on that occaſion, ſtill remain, and contain an exact detail of the whole ſubſtance left by his father[a], in money, merchandize, houſes, and ſlaves, together with the value of each particular.—Among the reſt were *fifty-two ſlaves*, handicraftſmen, *viz.* 32 ſword-cutlers, and 20 cabinet-makers[b]; all males; not a word of any wives, children, or family, which they certainly would have had, had it been a common cuſtom at ATHENS to breed from the ſlaves: and the value of the whole muſt have much depended on that circumſtance.—No female ſlaves are even ſo much as mentioned, except ſome houſe-maids, who belonged to his mother.—This argument has great force, if it be not altogether concluſive.

Conſider this paſſage of PLUTARCH[c], ſpeaking of the Elder CATO.—"He had a great number of ſlaves, "whom he took care to buy at the ſales of *priſoners of*

—HORACE alſo mentions the *vernæ procaces*; and PETRONIUS, cap. xxiv. *vernula urbanitas*.—SENECA, *de provid.* c. i. *vernularum licentia*.

[a] In *Amphobum orat.* i.

[b] κλινοποιοὶ, makers of thoſe beds which the ancients lay upon at meals.

[c] In vita CATONIS.

"*war*;

" *war*; and he choſe them young, that they might " eaſily be accuſtomed to any diet or manner of life, " and be inſtructed in any buſineſs or labour, as men " teach any thing to *young dogs* or *horſes*.—And eſteem- " ing *love* the chief ſource of all diſorders, he allowed " the male ſlaves to have a commerce with the female " in his family, upon paying a certain ſum for this " privilege: but he ſtrictly forbade all intrigues out of his " family."—Are there any ſymptoms in this narration of that care, which is ſuppoſed in the ancients, of the marriage and propagation of their ſlaves? If that was a common practice, founded on general intereſt, it would ſurely have been embraced by CATO, who was a *great œconomiſt*, and lived in times when the ancient frugality and ſimplicity of manners were ſtill in credit and reputation.

It is expreſsly remarked by the writers of the ROMAN law, that ſcarcely any ever purchaſe ſlaves with a view of breeding from them [z].

XENOPHON in his œconomics, where he gives directions for the management of a farm, recommends a ſtrict

[z] " Non temere ancillæ ejus rei cauſa comparantur ut pariant."—*Digeſt.* lib. v. tit. 3. *de hæred. petit. lex* 27.

care

care and attention of laying the male and the female ſlaves at a diſtance from each other.—He ſeems not to ſuppoſe that they are *ever married*.—The only ſlaves among the GREEKS that appear to have continued their own race, were the HELOTES, who had houſes apart, and were more the ſlaves of the public than of individuals [a].

VARRO as well as COLUMELLA [b], recommends it as requiſite to give a wife to the overſeer, in order to attach him the more ſtrongly to his maſter's ſervice.—This was therefore a *peculiar indulgence* granted to a ſlave in whom ſo great confidence was repoſed.

HISTORY MENTIONS A ROMAN NOBLEMAN WHO HAD 400 SLAVES UNDER THE SAME ROOF WITH HIM: AND HAVING BEEN ASSASSINATED AT HOME BY THE FURIOUS REVENGE OF ONE OF THEM, THE LAW WAS EXECUTED WITH RIGOUR, AND ALL WITHOUT EXCEPTION WERE PUT TO DEATH.

Nothing ſo common in trials, even of civil cauſes, as to call for the evidence of ſlaves; which was always extorted by the moſt *exquiſite torments*.—DEMOSTHENES ſays [c], that, where it was poſſible to produce, for the

[a] STRABO, lib. viii. [b] Lib. i. c. 18. [c] In *Oniterem orat.* 1.

ſame fact, either freemen or ſlaves as witneſſes, *the judges always preferred the torturing of ſlaves, as a more certain evidence*[a].

[a] The ſame practice was very common in ROME; but CICERO ſeems not to think this evidence ſo certain as the teſtimony of free citizens.—*Pro Cælio.*

The *inhuman ſports* exhibited at ROME, may juſtly be conſidered as an effect of the people's contempt for their vanquiſhed enemies, or ſlaves, and was alſo a great cauſe of the general inhumanity of their princes and rulers.—Who can read the accounts of the amphitheatrical entertainments without horror? Or who is ſurpriſed that the rulers ſhould treat that people in the ſame way the people treated their fellow creatures? One's humanity, on that occaſion, is apt to renew the barbarous wiſh of CALIGULA, that the people had but one neck: a man could almoſt be pleaſed, by a ſingle blow, to put an end to *ſuch a race of monſters.*—HUME.

SECT.

SECT. XXV.

GENERAL OBSERVATIONS ON THE ANCIENT REPUBLICS.

We may obſerve, that the ancient republics were almoſt always in *perpetual war*, a natural effect of their martial ſpirit, their love of liberty, their mutual emulation, and that hatred which generally prevails among nations that live in cloſe neighbourhood.—Now, war in a ſmall ſtate is much more deſtructive than in a great one; both becauſe *all the inhabitants*, in the former caſe, muſt ſerve in the armies; and becauſe the whole ſtate is frontier, and is all expoſed to the inroads of the enemy.

The maxims of *ancient war* were much more *deſtructive* than thoſe of modern; chiefly by that diſtribution of plunder, in which the ſoldiers were indulged.—The private men in our armies are ſuch a low ſet of people, that we find any abundance, beyond their ſimple pay, breeds confuſion and diſorder, and a total diſſolution of

diſcipline.—The very wretchedneſs and meanneſs of thoſe who fill the modern armies, render them leſs deſtructive to the countries which they invade: one inſtance, among many, of the deceitfulneſs of firſt appearances in all political reaſonings.

Ancient battles were much more *bloody*, by the very nature of the weapons employed in them.—The ancients drew up their men 16 or 20, ſometimes 50 men deep, which made a narrow front; and it was not difficult to find a field in which both armies might be marſhalled, and might engage with each other.—Even where any body of the troops was kept off by hedges, hillocks, woods, or hollow ways, the battle was not ſo ſoon decided between the contending parties, but that the others had time to overcome the difficulties which oppoſed them, and take part in the engagement.—And as the whole army was thus engaged, and each man cloſely buckled to his antagoniſt, the battles were commonly very bloody, and great ſlaughter was made on both ſides, eſpecially on the vanquiſhed.—The long thin lines required by fire-arms, and the quick deciſion of the fray, render our modern engagements but partial rencounters, and enable the general, who is foiled in the beginning of the day,

to draw off the greateſt part of his army ſound and entire.

The battles of antiquity, both by their duration, and their reſemblance of ſingle combats, were wrought up to *a degree of fury* quite unknown to later ages.—Nothing could then engage the combatants to *give quarter*, but the hopes of profit, by making ſlaves of their priſoners.—In civil wars, as we learn from TACITUS [a], the battles were the moſt bloody, becauſe the priſoners were not ſlaves.

What a ſtout reſiſtance muſt be made, where the vanquiſhed expected ſo hard a fate! How inveterate the rage, where the maxims of war were, in every reſpect, ſo bloody and ſevere!

Inſtances are frequent, in ancient hiſtory, of cities beſieged, whoſe inhabitants, rather than open their gates, murdered their wives and children, and ruſhed themſelves on a voluntary death, ſweetened perhaps by a little proſpect of revenge upon the enemy.—GREEKS [b], as well as BARBARIANS, have often been wrought up to this degree of fury.—And the ſame determined ſpirit and

[a] Hiſt. lib. ii. c. 44.

[b] As ABYDUS, mentioned by LIVY, lib. xxxi. c. 17, 18. and POLYB. lib. xvi.—As alſo the XANTHIANS, APPIAN. *de bell. civil.* lib. iv.

cruelty

cruelty muſt, in other inſtances, leſs remarkable, have been deſtructive to human ſociety, in thoſe petty commonwealths, which lived in cloſe neighbourhood, and were engaged in perpetual wars and contentions.

Sometimes the wars in GREECE, ſays PLUTARCH[a], were carried on entirely by *inroads*, and *robberies*, and *piracies*.—Such a method of war muſt be more deſtructive, in ſmall ſtates, than the bloodieſt battles and ſieges.

By the laws of the twelve tables, poſſeſſion during two years formed a preſcription for land; one year for moveables[b]: an indication, that there was not in ITALY, at that time, much more order, tranquillity, and ſettled police, than there is at preſent among the TARTARS.

The only cartel I remember in ancient hiſtory, is, that between DEMETRIUS POLIORCETES and the RHODIANS; when it was agreed, that a free citizen ſhould be reſtored for 1000 *drachmas*, a ſlave bearing arms for 500[c].

It appears alſo that *ancient manners* were more unfavourable than the modern, not only in times of *war*, but alſo in thoſe of *peace*; and that too in every reſpect. —To exclude FACTION from a free government is very

[a] *In vita* ARATI. [b] INST. lib. ii. c. 6.
[c] DIOD. SICUL. lib. xx.

difficult,

difficult, if not altogether *impracticable*.—In ancient hiſtory we may always obſerve, where one party prevailed, whether the nobles or people (for I can obſerve no difference in this reſpect [a]) that they immediately *butchered* all of the oppoſite party who fell into their hands, and baniſhed ſuch as had been ſo fortunate as to eſcape their fury.—*No form of proceſs, no law, no trial, no pardon.*—A fourth, a third, perhaps near a half of the city was ſlaughtered, or expelled, every revolution; and the exiles always joined foreign enemies, and did all the miſchief poſſible to their fellow-citizens, till fortune put it in their power to take full revenge by a new revolution.—*And as theſe were frequent in ſuch violent governments, the diſorder, diffidence, jealouſy, enmity, which muſt prevail, are not eaſy for us to imagine in this age of the world.*

There are only *two revolutions* I can recollect in ancient hiſtory, which paſſed without great ſeverity, and great effuſion of blood in maſſacres and aſſaſſinations; namely the reſtoration of the *Athenian democracy* by THRASYBULUS, and the ſubduing of the *Roman republic*

[a] LYSIAS, who was himſelf of the popular faction, and very narrowly eſcaped from the thirty tyrants, ſays, that the *Democracy* was as violent a government as the Oligarchy.—*Orat.* 24. *de ſtatu popul.*

by

by CÆSAR.—We learn from ancient hiſtory, that THRASYBULUS paſſed a general amneſty for all paſt offences; and firſt introduced that word, as well as practice, into GREECE [c].—It appears, however, from many orations of LYSIAS [b], that the chief, and even ſome of the ſubaltern offenders, in the preceding tyranny, were tried, and capitally puniſhed.—This is a difficulty not cleared up, and even not obſerved by antiquarians and ſome hiſtorians.—And as to CÆSAR's clemency, though much celebrated, it would not gain great applauſe in the preſent age.—He butchered, for inſtance, all CATO's ſenate, when he became maſter of *Utica* [c]; and theſe, we may readily believe, were not the moſt worthleſs of the party.—All thoſe who had borne arms againſt that uſurper, were attainted; and, by *Hirtius's* law, declared incapable of all public offices.

The utmoſt energy of the nervous ſtyle of THUCYDIDES, and the copiouſneſs and expreſſion of the GREEK language, ſeem to ſink under that hiſtorian, when he attempts to deſcribe the diſorders, which aroſe from FAC-

[a] CICERO, PHILIP, I.

[b] As *orat.* II. *contra* ERATOST. *orat.* 12. *contra* AGORAT. *orat.* 15. pro MANTITH.

[c] APPIAN. *de bell. civ.* lib. ii.

TION,

tion throughout all the *Grecian commonwealths*.—You would imagine, that he ſtill labours with a thought greater than he can find words to communicate.—And he concludes his pathetic deſcription with an obſervation, which is at once refined and ſolid.—" *In theſe contraſts*," ſays he, " *thoſe who were the dulleſt and moſt ſtupid, and* " *had the leaſt foreſight, commonly prevailed: for being* " *conſcious of this weakneſs, and dreading to be over-* " *reached by thoſe of greater penetration, they went to work* " HASTILY, WITHOUT PREMEDITATION, BY THE " SWORD AND PONIARD, AND THEREBY GOT THE " START OF THEIR ANTAGONISTS, WHO WERE FORM- " ING FINE SCHEMES AND PROJECTS FOR THEIR DE- " STRUCTION [a]."

Not to mention *Dionyſius* [b] the Elder, who is computed to have butchered in cold blood above 10,000 of his fellow-citizens; or *Agathocles* [c], *Nabis* [d], and others, ſtill more bloody than he; the tranſactions, even in free governments, were extremely violent and deſtructive.—At ATHENS, the thirty tyrants and the nobles, in a twelvemonth, murdered, *without trial*, about 1200 of

[a] Lib. iii. [b] PLUT. *de virt. & fort.* ALEX.
[c] DIOD. SIC. lib. xviii, xix. [d] TIT. LIV. lib. xxxi, xxxiii, xxxiv.

the people, and baniſhed above the half of the citizens that remained [a].—In ARGOS, near the ſame time, the people killed 1200 of the nobles; and afterwards their *own demagogues*, becauſe they had refuſed to carry their proſecutions farther [b].—The people alſo in CORCYRA killed 1,500 of the nobles, and baniſhed a thouſand [c].—Theſe numbers will appear the more ſurpriſing, if we conſider the extreme ſmallneſs of theſe ſtates.—But all ancient hiſtory is full of ſuch inſtances [d].

When

[a] DIOD. SIC. lib. xiv. ISOCRATES ſays there were only 5000 baniſhed.—He makes the number of thoſe killed amount to 1500.—AREOP. ÆSCHINES *contra* CTESIPH. aſſigns preciſely the ſame number.—SENECA (*de tranq. anim.* c. 5.) ſays 1300.

[b] DIOD. SIC. lib. xv. [c] DIOD. SIC. lib. xiii.

[d] We ſhall mention from DIODORUS SICULUS alone a few maſſacres, which paſſed in the courſe of ſixty years, during the moſt ſhining age of GREECE.—There were baniſhed from SYBARIS 500 of the nobles and their partizans; lib. xii. p. 77. *ex edit.* RHODOMANNI.—Of CHIANS, 600 citizens baniſhed; lib. xiii. p. 189.—At EPHESUS, 340 killed, 1000 baniſhed; lib. xiii. p. 223.—Of CYRENIANS, 500 nobles killed, all the reſt baniſhed; lib. xiv. p. 263.—The CORINTHIANS killed 120, baniſhed 500; lib. xiv. p. 304.—PHÆBIDAS the SPARTAN baniſhed 300 BÆOTIANS; lib. xv. p. 342.—Upon the fall of the LACEDEMONIANS, democracies were reſtored in many cities, and ſevere vengeance taken of the nobles, after the GREEK manner.—But matters did not end there.—For the baniſhed nobles, returning in many places, butchered their adverſaries at PHIALÆ, in CORINTH, in MEGARA, in PHLIASIA.—In this laſt place they killed 300 of the people; but theſe again revolting, killed above 600 of the nobles, and baniſhed the

When *Alexander* ordered all the exiles to be reſtored throughout all the cities, it was found, that the whole amounted to 20,000 men[a]; the remains, probably, of ſtill greater ſlaughters and maſſacres.—WHAT AN ASTONISHING MULTITUDE IN SO NARROW A COUNTRY AS ANCIENT GREECE! AND WHAT DOMESTIC CONFUSION, JEALOUSY, PARTIALITY, REVENGE, HEART-BURNINGS, MUST TEAR THOSE CITIES, WHERE FACTIONS WERE WROUGHT UP TO SUCH A DEGREE OF FURY AND DESPAIR!

the reſt; lib. xv. p. 357.—In ARCADIA 1400 baniſhed, beſides many killed.—The baniſhed retired to SPARTA and to PALLANTIUM: the latter were delivered up to their countrymen, and all killed; lib. xv. p. 373.—Of the baniſhed from ARGOS and THEBES, there were 509 in the SPARTAN army; *id.* p. 374.—Here is a detail of the moſt remarkable of AGATHOCLES's cruelties, from the ſame author.—The people, before his uſurpation, had baniſhed 600 nobles; lib. xix. p. 655.—Afterwards that tyrant, in concurrence with the people, killed 4000 nobles, and baniſhed 6000; *id.* p. 647.—He killed 4000 people at GELA; *id.* p. 741.—By AGATHOCLES's brother 8000 baniſhed from SYRACUSE; lib. xx. p. 757.—The inhabitants of ÆGESTA, to the number of 40,000, were killed, man, woman, and child; and with tortures, for the ſake of their money; *id.* p. 802.—All the relations, *viz.* father, brother, children, grandfather, of his LIBYAN army, killed; *id.* p. 803.—He killed 7000 exiles after capitulation; *id.* p. 816.—It is to be remarked, that AGATHOCLES is called a man of great ſenſe and courage, and is not to be ſuſpected of wanton cruelty, contrary to the maxims of his age.

[a] DIOD. SIC. lib. xviii.

It would be eaſier, ſays *Iſocrates* to *Philip*, to raiſe an army in GREECE at preſent from the *vagabonds* than from the cities.

Even when affairs came not to ſuch extremities (which they failed not to do almoſt in every city *twice* or *thrice every century*) property was rendered very precarious by the maxims of ancient government.—XENOPHON, in the banquet of SOCRATES, gives us a natural unaffected deſcription of the tyranny of the ATHENIAN people.—"In my poverty," ſays CHARMIDES, "I am "much more happy than I ever was while poſſeſſed of "riches; as much as it is happier to be in ſecurity than "in terrors, free than a ſlave, to receive than to pay "court, to be truſted than ſuſpected.—Formerly I was "obliged to careſs every informer; ſome impoſition "was continually laid upon me; and it was never al-"lowed me to travel, or be abſent from the city.—At "preſent, when I am poor I look big, and threaten "others.—The rich are afraid of me, and ſhow me "every kind of civility and reſpect; and I am become a "kind of tyrant in the city [a]."

In one of the pleadings of LYSIAS [b], the orator very

[a] Page 885. *ex edit.* LEUNCLAV. [b] *Orat.* 29. *in* NICOM.

cooly

cooly ſpeaks of it, by the by, as a maxim of the ATHENIAN people, that whenever they wanted money, *they put to death ſome of the rich citizens, as well as ſtrangers, for the ſake of the forfeiture.*—In mentioning this, he ſeems not to have *any intention of blaming them*; ſtill leſs of *provoking them*, who were *his audience* and *judges.*

Whether a man was a citizen or a ſtranger among that people, it ſeems indeed requiſite, either that he ſhould impoveriſh himſelf, or the people would impoveriſh him, and perhaps kill him into the bargain.—The orator laſt mentioned gives a pleaſant account of an eſtate laid out in the public ſervice; that is, above the third of it in raree-ſhows and figured dances.

Beſides many other obvious reaſons for the inſtability of ancient monarchies, the equal diviſion of property among the brothers in private families muſt, by a neceſſary conſequence, contribute to unſettle and diſturb the ſtate.—The univerſal preference given to the elder by modern laws, though it increaſes the inequality of fortunes, has, however, this good effect, that it accuſtoms men to the ſame idea in public ſucceſſion, and cuts off all claim and pretenſion of the younger.

The new ſettled colony of *Heraclea*, falling immediately into faction, applied to *Sparta*, who ſent HERIPIDAS with full authority to quiet their diſſenſions—

This man, not provoked by *any oppoſition*, not inflamed by *party rage*, knew no better expedient than immediately *putting to death about* 500 *of the citizens* [a].—A ſtrong proof how deeply rooted theſe *violent maxims of government* were throughout all GREECE.

If ſuch was the diſpoſition of men's minds among *that refined people*, what may be expected in the commonwealths of ITALY, AFRIC, SPAIN, and GAUL, which were denominated *barbarous?* Why otherwiſe did the GREEKS ſo much value themſelves on *their humanity, gentleneſs*, and *moderation, above all other nations?* This reaſoning ſeems very natural.—But unluckily the hiſtory of the ROMAN commonwealth, in its earlier times, if we give credit to the received accounts, preſents an oppoſite concluſion.—No blood was ever ſhed in any ſedition at ROME till the murder of the GARCCHI.—DIONYSIUS HALICARNASSÆUS [b], obſerving the ſingular humanity of the ROMAN people in this particular, makes uſe of it as an argument, that they were originally of GRECIAN extraction: whence we may conclude, that the factions and revolutions in the *barbarous republics were uſually more violent* than even thoſe of GREECE above mentioned.

[a] DIOD. SIC. lib. xiv. [b] Lib. i.

IF

IF THE ROMANS WERE SO LATE IN COMIN TO BLOWS, THEY MADE AMPLE COMPENSATION AFTER THEY HAD ONCE ENTERED UPON THE BLOODY SCENE; AND APPIAN'S HISTORY OF THEIR CIVIL WARS CONTAINS THE MOST FRIGHTFUL PICTURE OF MASSACRES, PROSCRIPTIONS, AND FORFEITURES, THAT EVER WAS PRESENTED TO THE WORLD.—WHAT PLEASES MOST, IN THAT HISTORIAN, IS, THAT HE SEEMS TO FEEL A PROPER RESENTMENT OF THESE BARBAROUS PROCEEDINGS; AND TALKS NOT WITH THAT PROVOKING COOLNESS AND INDIFFERENCE, WHICH CUSTOM HAD PRODUCED IN MANY OF THE GREEK HISTORIANS[a].

One

[a] The authorities cited above, are all hiſtorians, orators, and philoſophers, whoſe teſtimony is unqueſtioned.—It is dangerous to rely upon writers who deal in ridicule and ſatire.—What will poſterity, for inſtance, infer from this paſſage of Dr. SWIFT: "I told him, that in the kingdom of TRIBNIA "(BRITAIN) by the natives called LANGDON (LONDON) where I had ſo- "journed ſome time in my travels, the bulk of the people conſiſt, in a man- "ner, wholly of diſcoverers, witneſſes, informers, accuſers, proſecutors, evi- "dences, ſwearers, together with their ſeveral ſubſervient and ſubaltern in- "ſtruments, all under the colours, the conduct, and pay of miniſters of ſtate "and their deputies.—The plots in that kingdom are uſually the workman- "ſhip of thoſe perſons," &c.—GULLIVER'S *Travels*.—Such a repreſentation might ſuit the government of ATHENS, but not that of ENGLAND, which is remarkable, even in modern times, for *humanity*, *juſtice*, and *liberty*.—Yet the doctor's ſatire, though carried to extremes, as is uſual with him, even

One general cauſe of the diſorders, ſo frequent in all ancient governments, ſeems to have conſiſted in the great difficulty of eſtabliſhing any ARISTOCRACY in thoſe ages, and the perpetual diſcontents and ſeditions of the people, whenever even the meaneſt and moſt beggarly were excluded from the legiſlature and from public offices.—The very quality of a *freeman* gave ſuch a rank, being oppoſed to that of *ſlave*, that it ſeemed to entitle the poſſeſſor to every power and privilege of the commonwealth.—SOLON's [a] laws excluded no freeman from votes or elections, but confined ſome magiſtracies to a particular *cenſus*; yet were the people never ſatisfied till thoſe laws were repealed.—By the treaty with ANTIPATER [b], no ATHENIAN was allowed a vote whoſe *cenſus* was leſs than 2000 *drachmas* (about 60 *l. ſterling*). —And though ſuch a government would to us appear ſufficiently democratical, it was ſo *diſagreeable to that people*, that above two-thirds of them immediately left their country [c].—CASSANDER reduced that *cenſus* to the half [d];

even beyond other ſatirical writers, did not altogether want an object.—The Biſhop of ROCHESTER, who was his friend, and of the ſame party, had been baniſhed a little before by a bill of attainder, with *great juſtice*, but without ſuch a proof as was legal, or according to the ſtrict forms of common law.

[a] PLUTARCHUS *in vita* SOLON. [b] DIOD. SIC. lib. xviii.

[c] Id. ibid. [d] Id. ibid.

yet

yet ſtill the government was conſidered as an oligarchical tyranny, and the effect of foreign violence.

SERVIUS TULLIUS's[a] laws ſeem equal and reaſonable, by fixing the power in proportion to the property: yet the ROMAN people could never be brought quietly to ſubmit to them.

In thoſe days there was NO MEDIUM *between a ſevere, jealous ariſtocracy, ruling over diſcontented ſubjects; and a* TURBULENT, FACTIOUS, TYRANNICAL DEMOCRACY.

There are many *other circumſtances*, in which ancient nations ſeem inferior to the modern, both for the happineſs and increaſe of mankind.—Trade, manufactures, induſtry, were nowhere, in former ages, ſo flouriſhing as they are at preſent in EUROPE.—The only garb of the ancients, both for males and females, ſeems to have been a kind of flannel, which they wore commonly white or grey, and which *they ſcoured as often as it grew dirty*.—I do not remember a paſſage in any ancient author, where the growth of the city is aſcribed to the eſtabliſhment of *a manufacture*.—The commerce, which is ſaid to flouriſh, is chiefly the exchange of thoſe com-

[a] TIT. LIV. lib. i. c. 43.

modities, for which different ſoils and climates were ſuited.—The ſale of wine and oil into AFRICA, according to DIODORUS SICULUS [a], was the foundation of the riches of AGRIGENTUM.—The ſituation of the city of SYBARIS, according to the ſame author [b], was the cauſe of its immenſe populouſneſs; being built near the two rivers CRATHYS and SYBARIS.—But theſe two rivers, we may obſerve, are not navigable; and could only produce ſome fertile vallies, for agriculture and huſbandry; an advantage ſo inconſiderable, that a modern writer would ſcarcely have taken notice of it.

The barbarity of the ancient tyrants, together with the extreme love of liberty, which animated thoſe ages, muſt have baniſhed every merchant and manufacturer, and have quite depopulated the ſtate, had it ſubſiſted upon induſtry and commerce.—While the cruel and ſuſpicious *Dionyſius* was carrying on his butcheries, who, that was not detained by his landed property, and could have carried with him any art or ſkill to procure a ſubſiſtence in other countries, would have remained expoſed to ſuch implacable barbarity? The perſecutions of

[a] Lib. xiii. [b] Lib. xii.

Philip

Philip II. and *Lewis* XIV. filled all EUROPE with the manufacturers of FLANDERS and of FRANCE.

I grant, that *agriculture* is the ſpecies of induſtry chiefly requiſite to the ſubſiſtence of multitudes; and it is poſſible, that this induſtry may flouriſh, even were manufactures and other arts unknown and neglected.—*Swiſſerland* is at preſent a remarkable inſtance; where we find, at once, the moſt ſkilful huſbandmen, and the moſt bungling tradeſmen, that are to be met with in EUROPE.—That agriculture flouriſhed in *Greece* and *Italy*, at leaſt in ſome parts of them, and at ſome periods, we have reaſon to preſume; and whether the mechanical arts had reached the ſame degree of perfection, may not be eſteemed ſo material; eſpecially, if we conſider the great equality of riches in the ancient republics, where each family was obliged to cultivate, with the greateſt care and induſtry, its own little field, in order to its ſubſiſtence.

But is it juſt reaſoning, becauſe agriculture may, in ſome inſtances, flouriſh without trade or manufactures, to conclude, that, in any great extent of country, and for any great tract of time, it would ſubſiſt alone? *The moſt natural way, ſurely, of encouraging huſbandry, is, firſt,*

to excite other kinds of induſtry, and thereby afford the labourer a ready market for his commodities, and a return of ſuch goods as may contribute to his pleaſure and enjoyment. —This method is infallible and univerſal; and, as it prevails more in modern government than in the ancient, it affords a preſumption of the ſuperior populouſneſs of the former.

Every man, ſays *Xenophon*[a], may be a farmer: no art or ſkill is requiſite: all conſiſts in induſtry, and in attention to the execution.—A *ſtrong proof*, as COLUMELLA hints, that agriculture was but little known in the age of XENOPHON.

All our later improvements and refinements, have they done nothing towards the eaſy ſubſiſtence of men, and conſequently towards their propagation and increaſe? *Our ſuperior ſkill in the mechanics; the diſcovery of new worlds, by which commerce has been ſo much enlarged; the eſtabliſhment of poſts; and the uſe of bills of exchange: theſe ſeem all extremely uſeful to the encouragement of art, induſtry, and populouſneſs.*—Were we to ſtrike off theſe, what a check ſhould we give to every

[a] Oecon.

kind

kind of buſineſs and labour, and what multitudes of families would immediately periſh from want and hunger? And it ſeems not probable, that we could ſupply the place of theſe new inventions by any other regulation or inſtitution.

Have we reaſon to think, that the police of ancient ſtates was anywiſe comparable to that of modern, or that men had then equal ſecurity, either at home, or in their journeys by land or water? I queſtion not but every impartial examiner would give us the preference in this particular.

Thus, upon comparing the whole, it ſeems impoſſible to aſſign any juſt reaſon, why the world ſhould have been *more proſperous* and *populous* in ancient than in modern times.—The equality of property among the ancients, liberty, and the ſmall diviſions of their ſtates, were indeed circumſtances favourable to the propagation of mankind; BUT THEIR WARS WERE MORE BLOODY AND DESTRUCTIVE, THEIR GOVERNMENTS MORE FACTIOUS AND UNSETTLED, COMMERCE AND MANUFACTURES MORE FEEBLE AND LANGUISHING, AND THE GENERAL POLICE MORE LOOSE AND IRREGULAR.—THESE LATTER DISADVANTAGES SEEM

TO FORM A SUFFICIENT COUNTERBALANCE TO THE FORMER ADVANTAGES; AND RATHER FAVOUR THE OPPOSITE OPINION TO THAT WHICH COMMONLY PREVAILS WITH REGARD TO THIS SUBJECT [a].

[a] Hume.

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